Acta Apostolicae Sedis

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The Holy See

(Sancta Sedes)

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[*Latin ed. p. 5*]

January 3, 1921. Year XIII. Vol. XIII. No. 1.

ACTA APOSTOLICAE SEDIS. OFFICIAL COMMENTARY.

ACTS OF POPE BENEDICT XV.

APOSTOLIC LETTERS.

I. THE PAROCHIAL CHURCH OF SAINT JOHN OF GOD, IN THE CITY OF MACARAIBO, DIOCESE OF ZULIA, IS ELEVATED TO THE TITLE AND PRIVILEGES OF A MINOR BASILICA.

BENEDICT XV.

For the perpetual memory of the matter.

There exists in the episcopal city of Macaraibo, in the diocese of Zulia, within the boundaries of the Republic of Venezuela, in South America, a parochial church erected and consecrated in honor of Saint John of God, which is distinguished both by its size and by the splendor of its artistic works, and in which is preserved the miraculous image of the Most Blessed Virgin Mary of la Chiquinquira, which We have adorned with a golden diadem. To this sanctuary, where crowds of citizens and foreigners, even from distant regions, flock to venerate the Virgin, who intercedes for graces with God, a beloved son, Anthony M. Soto, the present parish priest of that church, humbly presented to Us, with the strong support of the bishops of the dioceses of Zulia and Calaboro, petitions that We would deign to elevate that same church to the title and dignity of a Minor Basilica. And since nothing is more dear to Us than to see the piety of the Christian people towards the Most Blessed Virgin ever increase, We, approving of these desires, and having heard the venerable Father Anthony S., Most Reverend Cardinal Vico, Bishop of Porto and of the Holy Cross, Prefect of the Congregation of Sacred Rites, by Our apostolic authority, in the presence of all, and forever, declare the parochial church of Saint John of God, in the city of Macaraibo, to be...

[*Latin ed. p. 6*]

6. Acta Apostolicae Sedis - We adorn the official commentary of the diocese of Zulia with the title and dignity of a Minor Basilica, together with all privileges and honors which rightfully belong to Minor Basilicas of this esteemed city. We decree that these present letters shall always remain firm, valid, and efficacious, and shall fully and completely produce and obtain their effects; and that they shall fully support, now and in the future,

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those to whom they pertain, or may pertain, and that it shall be rightly judged and defined, and shall be declared null and void from this moment onward, if anything contrary to these, by anyone, knowingly or unknowingly, should occur. Notwithstanding any contrary provisions. Given in Rome, near the blessed Peter, under the Fisherman's ring, on the eighteenth day of May in the year 1920, in the sixth year of Our Pontificate. P. CARD. GASPARRI, Secretary of State.

II. THE ECCLESIA CURIALIS OF SAINT MARY MAGDALENE IN THE TOWN OF VEZELAY, DIOCESE OF SENONENSIS, IS DECORATED WITH THE TITLE OF BASILICA. BENEDICT XV. For the perpetual memory of this matter.

Merely among the sacred buildings, by which not only the diocese of Sens, but also all of Gallia is ennobled, the ecclesia curialis of the town of Vezelay rightly and deservedly stands out, consecrated to God in honor of Saint Mary Magdalene. This edifice, already since the ninth century, annexed to the ancient abbey founded by the Count Gerard of Ruseinon, has been celebrated by countless crowds of the faithful, who flocked there to venerate the relics of Saint Mary Magdalene preserved therein; therefore, Pope Leo XIII, with letters sealed with lead in the year 1050, declared Saint Mary Magdalene the patron saint of that monastic church. For a long series of years, God has increased the faith of citizens and visitors with illustrious miracles: it is known from trustworthy documents that, through the intercession of Saint Magdalene, in that very sanctuary, the blind have regained their sight, the mute have spoken, the sick have been healed, and captives have regained their freedom. Therefore, a magnificent temple arose there, solemnly dedicated in the year 1104, distinguished not only by its size, its Gothic artistic works, but also by its historical memories, privileges, and indulgences. To this place, princes, kings, bishops, and even Our predecessors, the Roman Pontiffs, have flocked, imploring heavenly aid in their most pressing needs.

[*Latin ed. p. 7*]

7 The acts of Pope Benedict XV relate that the holy Bernard of Clairvaux, abbot, came to the most celebrated sanctuary of Vezelay, at the command of Pope Eugene III, to announce a second expedition of crusaders to the Holy Land. The first students of the Seraphic Order from Assisi, Pacificus and Lodovicus, died near the sanctuary of Vezelay before bringing the Order of the Friars Minor to France. The saint Thomas, bishop of Canterbury, an exile from England, at Vezelay, in the temple, on the feast of Pentecost in the year 1166, excommunicated those who publicly violated the liberties of the Church. Often, dressed as a pilgrim, the saint Louis, King of the Franks, visited this sanctuary, and the devotion of the Christian people towards Mary Magdalene has remained steadfast throughout the centuries, until our own time, and neither wars, nor tumults, nor the incursions of heretics,

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nor the overthrow of public order, have been able to deter the faithful from undertaking pious pilgrimages. Remembering these things, when the present parish priest of the same church of Saint Mary Magdalene, burdened with the grave office of commendation from the Archbishop of Sens, humbly offered prayers to us, so that we might deem it fitting to adorn the aforementioned sanctuary with the title of Basilica, We willingly and gladly acceded to his request. Therefore, since We have indeed ascertained that the aforementioned church is distinguished by so many and such names, and is also abundantly endowed with sacred furnishings, We, after consulting with Our venerable brother Anthony, Cardinal Vico, Bishop of Porto and of S. Rufina, and with the Prefect of the Congregation of Sacred Rites, by Our apostolic authority, in the presence of you, and permanently, erect and dedicate the aforementioned parish church in honor and with the title of Saint Mary Magdalene the Penitent, located in Vezelay, in the diocese of Sens, and adorn it with the honorable title of Basilica, together with the privilege of carrying the bell and the umbel, to which the emblem or coat of arms of the church itself may be added, provided that it is not adorned with gold or silver. Furthermore, We grant and decree that these Our letters shall always remain valid and effective, and shall have and obtain their full and complete effect, and that those to whom they pertain, or who may concern themselves with them, may fully support them now and in the future; and that it shall be rightly judged and decided, and that from this moment it shall be declared void and null, if anything contrary to these should be attempted, knowingly or unknowingly, by any authority whatsoever. Notwithstanding any contrary provisions. Given at Rome, near the blessed Peter, under the Fisherman's ring, on the twenty-eighth day of the month of June, in the year 1920, in the sixth year of Our pontificate. P. CARD. GASPARRI, Secretary of State.

[*Latin ed. p. 8*]

8 Acta Apostolicae Sedis - Official Commentary III. THE CARMELITE CHURCH, DEDICATED TO THE BLESSED VIRGIN MARY OF MOUNT CARMEL, LOCATED IN THE CITY OF RECIFE, IN THE STATE OF PERNAMBUCO, IN BRAZIL, IS DECORATED WITH THE TITLE AND PRIVILEGES OF A BASILICA MINOR. BENEDICT XV. For the perpetual memory of the matter. — It is fitting and proper that the venerable Order of Discalced Carmelites should be commended for having a temple under its custody and care in the city of Recife, in the State of Pernambuco, dedicated to God the Most High in honor of the Blessed Virgin Mary of Mount Carmel, among the most ancient sacred buildings that ennoble the Brazilian regions and testify to the devotion of that people. Indeed, from constant human memory and worthy testimonies of faith, it is gathered that this temple was built at the beginning of the 16th century, from the very beginnings of the city of Recife. The temple and the adjoining Carmelite

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monastery, under the auspices and care of a pious Carmelite, arose, who also brought an image, sculpted from cedar wood, of the Blessed Virgin Mary of Mount Carmel from the Kingdom of Portugal, and presented it for public veneration. To which image of the Most Holy Patron, shortly after the land of Brazil was discovered and subjected to European colonists, the faithful began to flock frequently, and never did the people cease to visit this temple in Recife, indeed, the piety of pilgrims has increased more and more from day to day, even to our own times. In the year 1908, the Most Blessed Virgin of Mount Carmel was chosen as the patroness of the city of Recife, with the approval of this Apostolic See; and previously, the Order of Canons of the Patriarchal Basilica of the Vatican had decreed a golden diadem for the same image, for their own institution, so that a solemn rite was solemnly performed on September 2, 1919, with a large number of clergy and people present. Since the faithful have never ceased to venerate this image of the most pious Virgin, and since the Carmelite religious were persecuted by the authorities of the republic, it is not surprising that the temple of the Mother of God in Recife was abundantly enriched with donations, pious legacies, and sacred furnishings. Furthermore, this Marian temple, with its size, beauty of design, and other works of art, is among the most outstanding in the city.

[*Latin ed. p. 9*]

The acts of Pope Benedict XV, number 9, are rightly included among those worthy of mention. Furthermore, our beloved son, Andrew Mary Prat, Provincial of the Order of Carmelites of the ancient observance, of the Pernambuco Province, by his own name, and of the religious men under his leadership, and of many Christians of Brazil, so that the sacred splendor of this remembered temple of the Blessed Virgin Mary of Mount Carmel may be greatly increased, we earnestly beseech you, that you may deign to grant to this sacred edifice the dignity, title, and privileges of a Minor Basilica; we, to whom nothing is more precious than that the piety of the faithful towards the Holy Mother of God may increase ever more, and that it may daily bear more abundant fruit, readily and willingly consent to these requests. Therefore, after having consulted with the Most Reverend Fathers, Cardinals, Prefects of the Congregation of Sacred Rites, by our own initiative, with full knowledge and mature deliberation, and by the fullness of our apostolic power, by the tenor of these presents, perpetually and forever, we honor the temple dedicated to the Blessed Virgin Mary of Mount Carmel, located in the city of Recife, in the archdiocese of Olinda, in the State of Pernambuco, with the dignity and title of a Minor Basilica, with all the honors, prerogatives, privileges, and indulgences which rightfully belong to the Minor Basilicas of this most holy City. We decree that these presents shall always remain firm, valid, and efficacious, and shall continuously and fully produce their intended effects, and that they

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shall fully apply to those to whom they pertain, now and in the future; and that it shall be rightly judged and determined, and that from this moment onward, anything to the contrary shall be considered void and of no effect, if anything contrary to these should be attempted by anyone, with any authority whatsoever, knowingly or unknowingly. Notwithstanding any contrary provisions. Given at Rome, near the blessed Apostle Peter, on the sixteenth day of the month of July, in the year 1920, in the sixth year of Our Pontificate. P. CARD. GASPARRI, Secretary of State.

[*Latin ed. p. 10*]

Acts of the Apostolic See - Official Commentary on the LETTER to Father Arthur Vermeersch, S.J., PRAISING THE PROPOSAL FOR CELEBRATING THE THIRD CENTENNARY OF THE DEATH OF SAINT JOHN BERCHMANS.

Beloved sons, greetings and the apostolic blessing.

It is most fitting that, as the third century since the pious death of Saint John Berchmans draws to a close, certain Catholics, with you as their leader, should propose plans to celebrate this auspicious event in such a way that due honor is rendered everywhere to his exceptional sanctity, and that it may greatly benefit the souls of the faithful. These plans are well-conceived; and if, as we trust, they are carried out in such a way that the life and virtues of this most holy adolescent are widely known and illuminated, then great benefits will result. For John has something that all the faithful should follow: this is especially true for the Christian youth, particularly those who are growing in hope within the Church, in seminaries and in religious houses. Moreover, the sanctity of John, by its very nature, offers an easy and even lovable example, which strongly encourages imitation. Since, however, the piety of yourselves and your associates does not require exhortation, we earnestly pray to the most benign God that He may direct your endeavors to His greater glory and grant them the hoped-for outcome.

In the meantime, we impart to you, beloved sons, and to all those who will assist you with their support, their work, and their prayers, the apostolic blessing, through Our Celestial Mother, intercessor and witness of Our benevolence.

Given at Rome, near the blessed Apostle Peter, on the ninth day of November, in the year 1920, in the seventh year of Our pontificate.

BENEDICT XV.

[*Latin ed. p. 11*]

Acts of Pope Benedict XV, November 2, to Alexander, Most Reverend Cardinal Kakowski, Archbishop of Warsaw, and to Edmund, Most Rev-

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erend Cardinal Dalbor, Archbishop of Gnesen and Posen, and to the other Bishops of Poland, responding with the most devoted letters to theirs given from the annual meeting.

Beloved sons and venerable brothers, greetings and the apostolic blessing.

We have read with great pleasure the matters worthy of your renowned piety and prudence, which you expressed in your letters, written jointly to Us during the meeting held at the Marian Shrine of Czestochowa. Indeed, as you consulted together concerning the good of these dioceses, it seemed to you, with the greatest agreement of wills, that nothing could be more beneficial for the present times than to consecrate your homeland to the Most Sacred Heart of Jesus, and to promote the worship of that august Heart more and more among the people. You have indeed conceived a most excellent and, if ever, a most opportune plan: for what could be more salutary in this present state of affairs than an increase in devotion to Jesus Christ, who is the foundation and cornerstone of every republic, and who strives to call to Himself and to restore especially those who labor and are burdened? Therefore, we congratulate you greatly on this undertaking, and we expect a considerable harvest of fruits from it, especially if the faithful of the Heart of Jesus will wish to receive some share of that infinite charity, which, commonly nourishing Christian life, endures all things, believes all things, hopes all things, and sustains all things.

Furthermore, we have gladly received the expressions of gratitude with which you acknowledge the efforts We have made, as far as We could, for the benefit of the Polish people; and, in return, reciprocating your devotion, we implore God, through our prayers, that He may enrich with the dew of His grace both those things which you have recently learned, and that He may always bless Poland, a defender of the Christian faith and of civil order. And as a harbinger of heavenly gifts and a witness of Our special benevolence, We impart, with the greatest affection, the apostolic blessing to you, beloved sons and venerable brothers, and to all the clergy and people among you.

Given at Rome, near the blessed Peter, on this twentieth day of November, in the seventh year of Our pontificate.

BENEDICT XV.

[*Latin ed. p. 12*]

12 Acta Apostolicae Sedis - Official Commentary III TO GUSTAV FREDERICK, S.R.E. CARDINAL PIFFL, ARCHBISHOP OF VIENNA, AND TO THE VENERABLE BROTHERS BISHOPS OF AUSTRIA, IN RESPONSE TO THEIR COMMON LETTER. Beloved sons and venerable brothers, greetings and the apostolic blessing. — We understand fully,

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from your common letter, that all things are still filled with anxieties for you, and that all things are filled with cares; and for this reason, you and your flocks are ever before us, in our thoughts and in our heart. Our concerns are primarily for the poor children, and we intend to again do something for their support. The arguments, in which, as you announce, your assemblies are engaged, confirm the praise often given to you for diligence, and they newly increase our goodwill towards you. Whatever the condition of your affairs may be, whatever the days may bring, you will not labor in vain. Furthermore, beloved sons and venerable brothers, be of good courage: trust in God; He is faithful and will not suffer the just to fall forever. As a witness to the divine gifts and of our benevolence, may the apostolic blessing be imparted to you, to the clergy, to the people, and to each one of you, earnestly in the Lord. Given in Rome, at Saint Peter's, on the twenty-sixth day of November, in the year 1920, in the seventh year of Our Pontificate. BENEDICT XV.

[*Latin ed. p. 13*]

SACRED CONGREGATION CONSISTORIAL ACTS

SACRED CONGREGATION CONSISTORIAL

I. DECREE CONCERNING THE NOMINATION OF CANDIDATES FOR THE EPISCOPAL OFFICE IN SCOTLAND.

The Church has always held the greatest concern for the selection of Bishops, from whom, for the most part, the progress of the Catholic religion and the growth of the faith depend. This very reason moved the Supreme Pontiff to establish a new method of election, after consultation with the Reverend Fathers of this Sacred Congregation, in the United States of America, which has already produced abundant fruits. Similarly, it has been implemented in the region of Canada, with the general approval of those prelates. Considering it fitting to extend this method to Scotland, where the religious conditions have improved since the restoration of the ecclesiastical hierarchy, the Supreme Pontiff inquired of the Ordinaries of each region regarding their opinion on the matter.

Having received a favorable opinion from the Scottish prelates, with certain modifications deemed appropriate, Our Holy Father Benedict XV, after consultation with the Reverend Fathers of the Sacred Congregation Consistorial, has decided and prescribes, by the present Consistorial decree, that in the future, in Scotland, for the nomination of candidates for the episcopal office, the method according to the following laws shall be applied and observed.

1. For the nomination of priests suitable and worthy for the episcopal

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office, a meeting of all Ordinaries shall be held every three years, at a time within the assigned period.

2. Every three years, at the beginning of Lent, starting from the year 1921, all and each of the suffragan Bishops to the Archbishop of St. Andrews and Edinburgh, or, in the event of a vacant see, to the Archbishop of Glasgow, shall submit the names of priests whom they consider worthy of the episcopal office. However, nothing prevents the nomination of priests from another diocese or province; it is, however, strictly required that the person nominating the candidate personally knows him and has had prolonged dealings with him.

[*Latin ed. p. 14*]

14. Acta Apostolicae Sedis - Official Commentary. The Archbishop of Glasgow shall disclose to the Archbishop of St. Andrews and Edinburgh those names which he deems suitable. 3. Along with the name, the candidates shall also indicate, if possible, their age, their origin, and their current place of residence, and the office in which they principally serve. 4. Before determining whom to propose, both the Archbishops and the canonical Bishops shall consult, in the manner prescribed below, so that they may indicate a priest whom they consider worthy and suitable before the Lord for the custody of the Christian flock in some diocese. However, a) the inquiry shall be made to the canonical Bishops, not in a convened assembly, but individually, with each being given a serious obligation of secrecy, and under the law of destroying, if anything arises concerning this matter, any epistolary correspondence. b) The Bishops shall not disclose their opinion to anyone, except perhaps in the assembly of Bishops, of which more will be said below. 5. The Bishops may also consult other prudent men, even from the regular clergy, and especially older and more prudent parish priests, both for proposing candidates and for ascertaining the qualities of others; but strictly adhering to the rules mentioned above in section a) and b) of article 4. 6. The names which the Bishops propose according to article 2 shall not be disclosed to anyone, except to the Metropolitan, to whom the names must be indicated. 7. The Metropolitan, or Archbishop, after receiving the proposals of candidates from the Bishops, shall add his own: he shall prepare an index of all names in alphabetical order, and, with the consent of those who propose them, he shall transmit this list to each Ordinary of the region, so that these may undertake appropriate investigations into the qualities of those whom they do not personally know and about whom they have no certain knowledge. 8. Such investigations, and the reason for them, must be carried out with the utmost secrecy, as stated above in section 4. If they fear that the matter will become public, they should refrain from further inquiries. 9. After Easter, on the day and at the place determined by the Archbishop, as mentioned in article 6, all the Bishops shall meet to select those who must be proposed to the Holy See

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for the episcopal ministry. They shall meet without any solemnity, as if for a familiar gathering, so that any attention, especially from newspapers and periodicals, and all curiosity, may be avoided. 10. In the meeting, after invoking divine assistance, each person, the Archbishops excepted, shall, with the Holy Scriptures before them, swear an oath.

[*Latin ed. p. 15*]

I. The Sacred Congregation Consistorial [dealing with] the matter of maintaining secrecy, so that the bond by which all are bound may be made more sacred: after these rules have been read concerning the making of an election. 11. Then, one of the Bishops present will be appointed Secretary. 12. After these things have been completed, the discussion will begin, so that, among so many presented, those who are more worthy and more suitable may be chosen. This, however, will be done as if Christ were present, and under His gaze, with all human considerations set aside, with prudence and charity, having before the eyes only the supreme good of the Church, divine glory, and the salvation of souls. 18. The candidates should be of mature, but not excessively advanced, age; endowed with prudence in their actions, which should be proven by the exercise of their ministry; adorned with the soundest and most uncommon doctrine, and joined with due devotion towards the Apostolic See; and, above all, distinguished by the greatest integrity of life and piety. Furthermore, attention must be paid to the candidate's capacity regarding the administration of temporal goods, to his family situation, to his character, and to his health. In short, it must be seen whether he possesses all those qualities which are required in the best of pastors, so that he may be able to govern the people of God with fruit and edification. 14. After the discussion has been completed, the vote will be taken in this manner: a) Those Bishops whose opinion, for any reason, has judged those presented to be "unfit to be proposed," will not be called upon to vote; the vote will be taken on the others, even the most approved. b) The individual candidates will be proposed in alphabetical order for the vote: the votes will be secret. c) All the Bishops, the Archbishops excepted, will use three small tablets or counters for each candidate, namely, one white, one black, and a third of some other color: the first to signify approval, the second to signify disapproval, and the third to indicate abstention. d) Each Bishop, preceded by the Metropolitan and the Archbishop of Glasgow, will deposit in the urn prepared for this purpose the tablet by which he deems worthy, before God and with a conscience heavily burdened, the priest who is called to the vote: the other two tablets will be deposited in another urn, equally secretly. e) After the votes have been cast, the Archbishop, with the assembled prelates, in the presence of the Secretary Bishop, will announce the tablets and their color to all, and will note it in writing. 15. After the vote has been completed in every respect, it will be permissible for the Bishops, if they so wish, or if any of them request it, to proceed in this manner among

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those who have been approved:

[*Latin ed. p. 16*]

16. Acta Apostolicae Sedis - The official record shall indicate, by means of a new vote, who is to be preferred. For this purpose, each elector shall write the name of the preferred candidate on a ballot and deposit it in the urn; the examination of the ballots shall be carried out as described above, article 14, letter e). 16. Although the Supreme Pontiff reserves the right to seek, in opportune ways, the opinions of Bishops or Archbishops, when a diocese or archdiocese is vacant, in order to choose a person who seems more suitable for governing that diocese among those approved; nevertheless, it will be permissible for the Bishops, in the same assembly, to indicate, at least in general terms, to which diocese they consider certain candidates to be more suitable; and for what reasons. 17. The Bishop, during the secret deliberations, shall carefully note what is said about each candidate by each elector, the conclusion reached during the discussion; finally, who was elected in the first ballot, and in the second (if there is one), and what was said specifically, according to article 16. 18. The prelates shall not leave the assembly before the report prepared by the Bishop Secretary, concerning the names proposed, the qualities of the candidates, and the votes obtained, has been read by him and approved by them. 19. A copy of the proceedings, signed by the Archbishops, the prelate in charge of the secretariat, and the other Bishops present, shall be sent to this Sacred Congregation as safely as possible, through the Archbishops presiding. The proceedings themselves shall be kept by the Archbishop in the most secret archives of the Holy Office, but shall be destroyed after one year, or even sooner, if there is a danger of the secret being violated. 20. After this, it will always be permissible for the Bishops, whether on the occasion of the proposal of a candidate or of the vacancy of a certain See, especially one of greater importance, to write letters to this Sacred Congregation or to the Supreme Lord himself, in which they express their opinions concerning the qualities of persons, either absolutely or in relation to the provision of said See. Given at Rome, from the offices of the Sacred Congregation Consistorial, on the 20th of November, 1920. C. CARD. DE LAI, Bishop of Sabina, Secretary. L. S. Aloysius Sincero, Assistant.

[*Latin ed. p. 17*]

17. The Sacred Congregation Consistorial [of Bishops] designates Ordinary [Judges] for appeals, according to Canon 1594, § 2. According to Canon 1594, § 2 of the Code of Canon Law, for appeals: The Most Reverend Archbishop of La Plata designated the Ordinary of Cochabamba. This designation was deigned to be approved by the Most Holy Pope Benedict XV, on November 26, 1920.

III. Designations of Ordinary [Judges] for a Second Appeal. The

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Most Reverend Bishop of Basle and Lugano designated the Ordinary of Lausanne-Geneva; the Bishop of Coire, the Ordinary of St. Gallen; the Bishop of St. Gallen, the Ordinary of Basle; the Bishop of Sion, the Ordinary of the City of Ticino; the Bishop of Lausanne-Geneva, the Ordinary of Sion; The Most Reverend Apostolic Administrator of Lugano, the Ordinary of Coire. These designations were deigned to be approved by the Most Holy Pope Benedict XV, on October 15, 1920.

SACRED CONGREGATION FOR THE PROPAGATION OF THE FAITH. Decree concerning the definition of the limits of the Propagation of the Faith within dioceses subject to this Holy Congregation. Certain Ordinaries of regions which, although enjoying hierarchical constitution, are subject to this Holy Congregation for the propagation of the Holy Christian Name, having presented some doubts regarding the legal status of the missions entrusted to them, while still having something begun. ACTA, Volume XIII, No. I, 3-1-1921. 2.

[*Latin ed. p. 18*]

18 Acta Apostolicae Sedis - Official Commentary. And in order to remove these doubts and to provide a general rule for safe action, the Holy Congregation has decided the following:

1° It is permissible that dioceses which are subject to this Holy Council as missions may have a portion of their territory remain undivided, that is, without the designation of parochial boundaries.

2° Those parts of the territory which are already delimited or which may be delimited in the future, shall be considered as parishes, according to the norm of canon 216; but the same rules which are specifically established for quasi-parishes shall also apply to them.

3° It is granted to the Bishops a special faculty to designate regular clergy as pastors of parishes, if suitable priests from the secular clergy are entirely lacking for such duties.

4° To the Bishops of Eastern India, it is permitted, at the forthcoming meeting in Madraspatan, after consultation with the Most Reverend Apostolic Delegate, to determine which parts of the territory of each diocese should be sufficiently divided, according to the norm of canon 216, for the future erection of new parishes, according to the form prescribed in the instruction of this Holy Congregation concerning the Propagation of the Faith, of July 25, 1920 (cf. Acta Apost. Sedis, vol. xi, no. VIII, p. 331).

All of these things, Our Holy Lord Benedict, Divine Provider, has deigned to confirm and ratify, having been communicated to the undersigned Cardinal Prefect in an audience on December 2.

Given at Rome, from the offices of the Holy Congregation for the Propagation of the Faith, on December 9, in the year 1920.

G. M. CARD. VAN ROSSUM, Prefect.

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L. S. C. Laurenti, Secretary.

II. NOMINATIONS

The following have been appointed by Apostolic Briefs:

November 12, 1920. — The Reverend Ernest Cozzi, Apostolic Delegate to Albania.

December 3. — The Reverend Ubertus Franciscus Schraven, of the Congregation of the Missions, Apostolic Vicar of the southern-western region of Ge-li in China.

December 4. — The Reverend Joseph Hallé, Apostolic Vicar of Northern Ontario, honorary protonotary apostolic.

[*Latin ed. p. 19*]

19 The Sacred Congregation of Rites. Regarding the beatification and canonization of the Servant of God, Sister Mary of Jesus, in the world, Josephine du Bourg, foundress of the Congregation of the Sisters of the Divine Savior and of the Most Holy Virgin. In the town of Bochemontés, near Toulouse, she was born on June 24, 1788, of parents distinguished by their lineage, their fortune, and their piety, Armand du Bourg and Mary Jacquette d'Arbousier de Montégut. On the 29th of that month, she was given the names Anna, Rose, and Josephine in the sacred font. The seventh child, and inclined towards virtue above her other siblings, she was carefully educated at home from a young age, especially because she had learned from her mother that she had been consecrated to the Virgin Mary before her birth. In that calamitous and miserable time, during which war raged against the Church, and lay Catholics were persecuted, Armand, a member of the council of Toulouse, was unjustly arrested in 1793, and his property was seized by the treasury, causing great sorrow and poverty to his numerous and surviving family. The undaunted matriarch, although widowed and deprived of her possessions, bore these and other adversities with Christian fortitude, deeply trusting in God for perpetual help in her distress and needs, and she fostered this hope fruitfully, as events later proved. Josephine, scarcely seven years old, was entrusted to the Sisters of Saint Maur. From the beginning, a zeal for prayer and virtue was evident in her, despite the lively temperament that she possessed. When she reached the age of twelve, having been properly instructed and well-disposed, she was admitted to the Holy Eucharist and shortly thereafter to the sacrament of Confirmation. Then, more strongly aroused to the perfect life, she scorned worldly vanities and pleasures, and privately renewed her vow of consecration to the Blessed Virgin Mary, the sweetest Mother. Returning home, she pursued the liberal arts, especially music and drawing, and, with the help of divine grace, led a life of penance, purity, and hidden in Christ. Shortly afterward, she entered the monastery of the Sisters of the

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Visitation of the Blessed Virgin Mary, but, after three months had passed, she did not find there...

[*Latin ed. p. 20*]

20 Acta Apostolicae Sedis - Commentarium Officiale. Having left the monastery, she returned to Toulouse, where she spent many hours each day in exercises of piety and devotion, by which her love for God and zeal for souls were further inflamed. She also visited Limoges to see her paternal uncle, from whom she received most welcome and salutary advice and counsel concerning her spiritual life. Afterwards, in Toulouse, she lived among the nuns called "Beata Maria Virgine," and there she demonstrated a life of religion and activity, and, faithfully fulfilling the task entrusted to her, she taught young girls with mutual joy and for the benefit of their minds and hearts. For the girls, being instructed in religion, letters, and good morals, were constantly drawn to virtue and to sacred things, and she herself, being twenty-one years of age, perpetually dedicated herself to God through a vow of chastity, with the approval of her confessor. Desiring a more austere life, the Handmaid of God, at the wise suggestion of men, was received among the Sisters of Saint Alexis in the year 1812, and she received the name Maria a Iesu, and also took vows, in July of the year 1815. She devoted five years to caring for the sick with singular diligence and charity. Due to many anxieties of mind, greatly increased by the deep sorrow and grief caused by the death of the Most Reverend Bishop du Bourg, her paternal uncle, Sister Maria a Iesu fell ill with a long-lasting disease, accompanied by extreme weakness and debility. As soon as she recovered somewhat, at the order of the Bishop of Limoges, who succeeded the deceased Bishop du Bourg, she was sent to the town of Evaux, in order to regain her strength. There, encouraged and guided by the same Prelate, she began to prepare a new Institute in the years 1829 and following. Meanwhile, in the year 1830, the Handmaid of God returned to Limoges, in order to choose a directress for the Sisters of Saint Alexis. For three years, the most merciful God prepared the way for the establishment of a new Sodality, which, through the providence of God and with the help of the Most Blessed Virgin Mary, arose in the year 1833. Indeed, the pious woman, Maria Lacoste, a widow with her two daughters, was directing a school for girls in the town of Brives, in the manner of a religious family, and she was considering establishing a similar one in the town of Terrason. Sister Maria a Iesu, having been informed of this, after a familiar conversation with them, wisely added them to her associates and helpers in the new Institute, and, having obtained the consent of both the Bishops of Petrocoricensis and Limoges, she went with these companions to the town of Evaux in the middle of October of the year 1833. There, all those who were seeking admission to the new Congregation, having been received in a sodality which was sometimes called "Verbo Incarnato," began their novitiate, under the

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direction of the Foundress, mother, and teacher. With heavenly light and the protection of Mary, through constant and fervent prayer, together with her girls, the Handmaid of God wrote the constitutions and rules, which, after being allowed for a trial period, were subsequently revised and found to be worthy of praise, on the 25th of February of the year 1834 by the Bishop of

[*Latin ed. p. 21*]

The Holy Congregation of Rites, on December 21st of the year 1849, most gladly approved the Superior of Limoges. From these things, it is clear that the Sisters "of the Divine Savior and of the Most Holy Virgin," who wear habits according to a special form and color, have a particular purpose: the faithful observance of the first and second divine precepts, namely, the love of God and neighbor, through knowledge, love, and imitation of God and our Savior Jesus Christ, and of His Most Holy Mother, Mary, the Virgin. Among the works which they ought to perform, with charity and simplicity, are enumerated the instruction of boys and girls in the Catholic faith, and the constant and diligent consideration and care of the sick and the poor in hospitals, hospices, and houses. Meanwhile, after duly completing their novitiate, in the chapel of the Sodality of the Word Incarnate, in Evaux, in the province, the novices of the new Institute, of whom the first was Mary Lacoste, were clothed in the religious habit on February 9th of the year 1834, and, after two years had elapsed, on February 15th of the year 1836, these same Sisters solemnly made their religious vows. Subsequently, Sister Mary of Jesus, with the willing approval of the respective Ordinaries of the Dioceses, founded other houses of the Institute in the places of La Souterraine, in the diocese of Limoges, which was established as the principal seat; Orcêval, in the diocese of Clarmont; Lauzum, in the diocese of Agen; Bergerac, in the diocese of PÃ©rigueux et Sarlat; and in the towns of Aisée and Thiers, so that, in each year, there were nearly as many foundations. With the increase in the number of Sisters, and upon their request, with the authority of the Bishop of PÃ©rigueux et Sarlat, and with the consent of the Bishop of Limoges, Sister Mary of Jesus, because of her piety, prudence, and other virtues, was elected and confirmed as the General Superior of the "Institute of the Divine Savior and the Most Holy Virgin." Finally, in the year 1841, the desires and prayers of the Handmaid of God were fulfilled through the election of the Reverend Dissundes Segesat, the General Vicar of Limoges, as the General Superior of the Congregation, who brought great growth to the same Sodality, urged on by the foundress and the General Superior, to observe the laws and precepts and to maintain the first fervor. Attached to the Congregation, as a part thereof, is a sodality destined for the instruction of poor rural people, commonly called the "Sisters of the Countryside," which presents itself as a minor branch of the same tree and under the same rule, but not of the

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same office. These Sisters remain subject to the direction of the elder Sisters. The first house of the sodality, encouraged by the Superior of Limoges, was established in the place of Thial, and other similar houses and schools followed, which provided for Catholic boys and girls against the arts and snares of heretics. At the same time, the Handmaid of God instituted the Work of daily Communion, both to make reparation for the injuries done to God with the loss of souls, and to foster and increase the spirit of piety in the most august Sacrament of the Eucharist, in the Blessed.

[*Latin ed. p. 22*]

The Acts of the Apostolic See – Official Commentary: The most holy Virgin Mary, along with the holy Angels and Archangels, and other celestial saints, under whose custody and patronage the entire Institute had been placed. It must also be noted that, while the foundress herself was still living, approximately forty houses of the same Institute were already established, both for the education of children and for the care and assistance of the sick and the poor. The life of the Servant of God, full of virtues and merits, was nearing its end, so that she might gloriously find rest after so many and such great labors. In the early year of 1862, the Handmaid of God composed and collected a certain treasury of prayers for the use of her Congregation, and as a lasting memorial of her perpetual prayer, purity, and charity towards God and her neighbor, as well as her perfect submission and obedience to the holy Mother Church, her supreme head the Roman Pontiff, and other legitimate pastors. Finally, consumed by a long illness, like a most pious mother among her most beloved daughters, on September 26th, in the year 1862, at the age of seventy-four, she fell asleep in the Lord. After her body was exposed in the chapel of the Community, many faithful people from every order of citizens gathered, and an even greater number when it was solemnly carried to the parochial church of the city of La Souterraine. After the funeral was solemnly performed, with the funeral oration of the General Vicar of Limoges and of the General Superior of the Institute, who had served for approximately twenty years, the same body was placed in the chapel of the Community, with an inscription placed above the tomb. The fame of holiness, with which Sister Mary of Jesus shone in life, after her death became even more clear, constant, and widespread, opening the way for an Informative Process to be established concerning her. After this was completed and transmitted to the Congregation for Sacred Rites in Rome, and after the proper legal procedures were followed and the writings of the Servant of God were examined, it was decreed that nothing should prevent further proceedings. Therefore, at the urging of the Reverend Father Francis Xavier Hertzog, of the Sulpitian Family, Apostolic Protonotary and Promoter of the Cause, and with the attentive letters of several Eminences of the Holy Roman Church, Cardinals, several Roman Archbishops, Bishops, and prelates from both

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the clergy, other men of ecclesiastical or civil distinction, and pious and noble young women and ladies, to whom were added all the members and alumnae of the Congregation of "The Divine Savior and the Most Holy Virgin," praying for the happy beginning and end of the Cause of the Servant of God Mary of Jesus, her lawful mother, the Most Eminent and Reverend Lord Cardinal Januarius Granito Pignatelli di Belmonte, Bishop of Albano Laziale and Promoter or Relator of this Cause, in the ordinary meetings of the Congregation for Sacred Rites, convened at the Vatican, proposed the following question to be discussed: Should a Commission for the introduction of the Cause be appointed, in this case and for this purpose?

[*Latin ed. p. 23*]

23: Concerning the Congregation in question: And the Eminents and Reverend Fathers, entrusted with the safeguarding of sacred rites, after hearing the report of the aforementioned Eminent Pontiff, and after carefully considering everything, deemed it necessary to write: Affirmative, or to sign the Commission for the introduction of the Cause, if it pleases the Most Holy [Father]. On November 16, 1920. Subsequently, these matters were brought to the attention of Our Most Holy Lord Benedict, Pope XV, by the undersigned Secretary of the Sacred Congregation for Rites, and His Holiness, having approved the decree of the aforementioned Sacred Council, deigned to sign with his own hand the Commission for the introduction of the Cause of the Servant of God, Mary of Jesus, formerly known as Iosepha du Bourg, foundress of the Congregation of "Sisters of the Divine Savior and the Most Holy Virgin," on the 21st day of the same month and year.

A. CARD. VICO, Bishop of Portuense and Rufinae, Prefect of the Sacred Congregation.

L. ÇB s. Alexander Verde, Secretary.

II. REGARDING THE BEATIFICATION AND CANONIZATION OF THE VENERABLE SERVANT OF GOD, ROBERT, CARDINAL BELLARMINE, OF THE SOCIETY OF JESUS.

ON THE QUESTION: Do the virtues of Faith, Hope, and Charity in God and in neighbor, as well as the cardinal virtues of Prudence, Justice, Fortitude, and Temperance, and those things connected with them, appear in a heroic degree, in every instance, and in effect, in the case in question?

It is certainly a difficult task to encompass in a few words the venerable Servant of God, Robert, Cardinal Bellarmine, and how much he shone forth with virtues, and what knowledge and instruction he provided. However, at least it is permissible to argue and to suggest, from those things which accompanied and followed his death. Indeed, anyone who has considered and reflected upon all that is distinctly and copiously described in these documents will surely not be able to avoid recognizing the life and actions

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of the venerable Servant of God.

[*Latin ed. p. 24*]

The Acts of the Apostolic See – an official commentary on the events and affairs – in a concise manner, and as if illuminated by a light, allows the faithful to contemplate the image of the venerable man, whose exceptional sanctity and outstanding doctrine are closely associated with the most sacred bond, and simultaneously confirms the judgment of Benedict XIV, who considered the death of the Servants of God to be a significant event, if the end of a distinguished life is both full of holiness and especially marked by public testimony; and this is the reason for what is presented here: for, as is commonly said, the outcome proves the actions (lib. III, cap. 38). Therefore, it is not surprising that, with hardly any delay, steps were taken to gather the legal evidence, with the help of which the cause of Beatification was introduced, and that access was quickly granted to the principal question, which concerns virtues; for, at that time, before the preparatory Congregation had been established, the first act was carried out by the Congregation, which was held on the seventh of September of the year one thousand six hundred and seventy-five. However, although the cause of Beatification of the Servant of God, Robert, Cardinal Bellarmine of the Holy Roman Church, proceeded favorably and expeditiously, it was barely brought before the general Congregation, which, before the Most Reverend Innocent XI, Pope, on the twenty-sixth of September of the year one thousand six hundred and seventy-seven, was forced to encounter obstacles, and soon began to experience great opposition; and these were not due to the fact that the heroic virtues of the venerable Bellarmine were not adequately supported by sufficient evidence, but rather to other reasons, or even to machinations, which, as it is known, were employed to harm him, since, not many years ago, certain documents of great value were made public, which have Benedict XIV himself as their author, and from which it is clear that the Most Holy Pope, regarding the Christian virtues exercised by the venerable Bellarmine with heroic zeal, according to the acts and evidence presented, refrained from giving a proper judgment and from duly promulgating it, which is quite evident. Indeed, not only the enemies of the Catholic Church, but also men of corrupt and prejudiced opinions, who, over a long and varied course of years, have threatened to undermine the cause of Beatification of the Servant of God, Bellarmine, rather than to acknowledge Bellarmine, the most deserving and esteemed member of the Society of Jesus, which rightly and deservedly boasts of him, undoubtedly sought to obstruct it. Therefore, emboldened by the success they had achieved under the Most Reverend Innocent XI, they spread a certain contrary opinion, a vote, which, although strictly protected by the

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law of secrecy, should have remained entirely hidden, and under Bene-

[*Latin ed. p. 25*]

The Holy Congregation of Rites, in paragraph 5, under that very learned Pope XIV, renewed the efforts, and in order to more easily bring about the final demise of the illustrious Society of Jesus, which had been decreed in two previous General Congregations, they took care to have printed, and widely disseminated, negative opinions. However, these are afflicted by a very serious and fundamental flaw; namely, that, after completely omitting any demonstration of the positive and heroic virtues, they are almost entirely devoted to recounting the defects, which their authors believed they found in the venerable Bellarmine. Therefore, they follow a method different from that which should be observed in all discussions, a method which, in this recent age, has been revived by some, who are not only less obvious but also more harmful, to the detriment of truth. Moreover, these individuals, after thoroughly and diligently demonstrating the issue under consideration, do not, except at the very last, address the difficulties, if any, that seem to arise; rather, they frequently resort to a clever art, lest they fear to change the difficulty into a thesis, and the thesis into a difficulty, using a customary, inverted, and disturbed order. Indeed, as the discourse returns to its origin, those to whom it pertains, at the appropriate time, possess, and have possessed, volumes, whether manuscripts or printed, which contain the elements necessary for preparing and examining the heroic virtues of the venerable Bellarmine; and these are kept in the archives of the two ancient Congregations of Rites and the Postulation of the Society of Jesus, to which access is forbidden, as if wisely preserved for the custody of religious archives, and access is scarcely permitted, except under certain conditions, for consultation. In contrast, the pamphlet which contains all the negative opinions concerning the cause of Bellarmine was, and still is, available for sale; therefore, it has been handled by many, some of whom, as is strongly suspected, have eagerly and greedily read it. It is perhaps not lacking someone who, from the difficulties that are presented there with a certain art and industry, having set aside the entire life of the Servant of God, and, what is more serious, the completely unknown particular virtues of the same Servant of God, to which the difficulties are referred, has believed that he already has everything at his disposal, and that he can recognize and justly appreciate the cause of the venerable Bellarmine. But that person was certainly very mistaken in this opinion, as he would be greatly deceived who, in a difficult controversy, would believe that he could certainly and safely resolve it by making a distinction from the highest principles that govern and regulate the subject matter under consideration.

[*Latin ed. p. 26*]

26 Acta Apostolicae Sedis - Commentarium. O, how faithfully it has

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been demonstrated that the cause for the heroic virtues of the venerable Bellarmine, so long and ardently desired, has not yet reached its conclusion, until the Most Holy Pope Benedict XV, almost from the beginning of his pontificate, turned his attention to it. Although it seemed that his predecessor, Pope Benedict XIV, having sufficiently examined the history of the vicissitudes that the cause of the venerable Bellarmine had undergone, could consider the matter itself to be settled and defined, nevertheless, in order that, as far as possible, the dignity of the cause might be observed, he wished to hold a consultation with the Most Reverend Cardinals entrusted with the sacred rites, with the intervention and vote of the Official Prelates. And so that this might not rely solely on external authority, but also on facts, and on the force and weight of arguments adapted to persuade, he presented as a model the example of his immortal predecessor, Pope Benedict XIV, who had used the same cause for the venerable Bellarmine. Therefore, when he entrusted this task to the Reverend Promoter of the Faith, he also instructed that all parties, whether for or against, should present their arguments. The prudent command was duly obeyed, and the Reverend Promoter of the Faith, with the skill and diligence he possesses, prepared an objective report on the state of the cause; and the learned and active parties presented a volume, consisting of two parts. One part is a carefully elaborated treatise by the Reverend Paul Dudon, of the Society of Jesus, in which the various phases of the entire cause are set forth with clarity, along with its merits. The other is a work perfectly executed in every respect, prepared by Cardinal Charles Albert Cavalchini, to whom, as Relator of the cause, it had been entrusted by Pope Benedict XIV, in which everything that had been brought forward, both for and against, in order to protect the cause, is presented in the best, most expert, and most ornate manner. Three appendices follow. The first presents a brief account of the external life of the venerable Bellarmine; the second and third present the well-known writings of Cardinal Dominic Passionei, with additions. These complete and perfect what had already been issued in a general Congregation before the venerable Pope Innocent XI, and serve as a summary. Thus, the most recent examination of the cause for the heroic virtues of the venerable Bellarmine was undertaken; and how aptly and thoroughly it was prepared and presented was wonderfully demonstrated by the outcome. In order.

[*Latin ed. p. 27*]

27 The Most Holy Congregation of Rites, having considered the acts of the cause of the venerable Servant of God, Robert, Cardinal Bellarmine of the Holy Roman Church, which were presented at the meeting of this Sacred Order, held on the sixteenth day of the month of November, presided over by the Most Reverend Cardinal, Prefect of the Cause, Aidan Gasquet, and in the presence of all those present, both Most Reverend Cardinals and official Prelates, reached a unanimous decision; namely, that the heroic

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virtues of the venerable Servant of God, Robert, Cardinal Bellarmine, had been sufficiently discussed and demonstrated, so that the process could proceed further in this case, and to the effect desired. His Holiness, having heard the report presented by the undersigned Cardinal, Prefect of the Sacred Congregation of Rites, decided to postpone his final judgment, so that, in the meantime, common prayers might be offered to God, and that a suitable time might be found to implore heavenly light. This having been done, he has decided to pronounce his decree on this most auspicious day, which is the anniversary of his priestly ordination and episcopal consecration. Therefore, having diligently carried out the sacred rites, the Most Reverend Cardinals Anthony Vico, Bishop of Porto and Santa Rufina, Prefect of the Sacred Congregation of Rites, and Aidan Gasquet, Relator of the Cause, together with the Reverend Father Angelo Mariani, General Promoter of the Faith, and myself, the undersigned Secretary, were summoned to the Vatican Palace, and in their presence, he solemnly declared: "It is established that the theological virtues of Faith, Hope, and Charity in God and in neighbor, as well as the cardinal virtues of Prudence, Justice, Fortitude, and Temperance, and those virtues which are attached to them, were present in a heroic degree in the venerable Servant of God, Robert, Cardinal Bellarmine, in this case and to the effect desired. He ordered that this decree be made public and recorded in the acts of the Sacred Congregation of Rites on the eleventh day before the Kalends of January, in the year 1920.

*A. CARD. VICO, Bishop of Porto and Santa Rufina, Prefect of the Sacred Congregation of Rites.

L. © S. Alexander Verde, Secretary.*

[*Latin ed. p. 28*]

28 Acta Apostolicae Sedis - Official Commentary of the HOLY CONGREGATION OF RITES. Tuesday, December 7, 1920, in the Apostolic Palace at the Vatican, before the august presence of the Holy Father, the General Congregation of the Sacred Rites was held, in which the Eminent and Reverend Lords Cardinals, the Reverend Prelates, and the theological consultants comprising the same, discussed and gave their vote on the matter concerning the heroism of the virtues exercised by the Venerable Servant of God, Bartholomew Dalmonte, Priest, Founder of the Pious Work of the Mission, in Bologna. Tuesday, December 14, 1920, in the Apostolic Palace at the Vatican, the Particular Congregation of the Sacred Rites was held, in which the Eminent and Reverend Lords Cardinals and the Reverend Officials comprising the same, discussed and gave their vote on the following matters: 1) Concerning the validity of the Apostolic Processes constructed in the Curia of Cordova, regarding the miracles, in particular, which are asserted to have been wrought by God through the intercession of the Venerable Anthony Mary Gianelli, Bishop of Bobbio, Founder of the Congregation

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of the Sisters Daughters of Mary Immaculate. 2) Concerning the validity of all the Apostolic and Ordinary Processes of the Cause of Beatification, namely, the declaration of the martyrdom of the venerable Servants of God, Ifigenia of St. Matthew of the Sisters of Perpetual Adoration of the Most Holy Sacrament; Elizabeth Teresa of the Most Sacred Heart of Jesus, of the Order of the Ursulines; Mary Rose, of the Order of St. Benedict; Mary of St. Henry, of the Cistercian Order, and of other companions, who were killed, as is asserted, out of hatred for the Faith. 3) Concerning the validity and relevance of the Apostolic Process constructed by the Curia of Palermo, regarding the general reputation for sanctity of the Servant of God, Joseph Mary of Palermo, Novice of the Order of the Minor Friars, Capuchins. 4) Concerning the cult, in obedience to the Decrees of Urban VIII, which has never been paid to the Servant of God, Fortunato Redolii, Professed Priest of the Congregation of the Regular Clerics of St. Paul, called Barnabites. 5) And finally, concerning the cult which has never been paid, as above, to the Servant of God, Gemma Galgani, a virgin from Lucca. Tuesday, December 21, 1920, at the Eminent and Reverend Lord Cardinal Lewis Billot, Promoter of the Cause of Beatification and Canonization of the Venerable Michael Garicoits, Priest, Founder of the Congregation of the Priests of the Sacred Heart of Jesus, the Congregation Antipreparatory was held to discuss three miracles which are asserted to have been wrought by God through the intercession of the same Venerable Servant of God, which are proposed for his Beatification.

[*Latin ed. p. 29*]

Diary of the Roman Curia, 29. NOTE ON THE CONGREGATIONS OF SACRED RITES TO BE HELD IN THE YEAR 1921.

January 11th. Ordinary Congregation.

January 25th. Preparatory Congregation concerning the virtues of the Servant of God, Sister Teresa of the Child Jesus.

February 15th. General Congregation concerning the virtues of the Venerable Servant of God, Joseph Cafasso.

March 8th.

March 15th.

April 5th. Preparatory Congregation concerning the virtues of the Venerable Servant of God, Francis of Camporosso.

April 26th. General Congregation concerning the virtues of the Venerable Servant of God, Mary Michelina of the Most Holy Sacrament.

May 10th. Antipreparatory Congregation concerning the virtues of the Venerable Servant of God, John Baptist Trona.

May 24th. Ordinary Congregation.

May 31st. Preparatory Congregation concerning the virtues of the Venerable Servant of God, Joan Antida Thouret.

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Antipreparatory Congregation concerning the virtues of the Venerable Servant of God, Anne Magdalene Remuzat.

Ordinary Congregation.

June 14th. General Congregation concerning the virtues of the Venerable Servant of God, Andrew Hubert Fournet.

June 28th. Particular Ordinary Congregation.

July 13th.

July 19th.

August 9th. Antipreparatory Congregation concerning the virtues of the Venerable Servant of God, Vincent Pallotti.

October 25th. New Preparatory Congregation concerning the virtues of the Venerable Servant of God, Alan of Solminiac.

Preparatory Congregation concerning the miracles of the Blessed Mary Magdalene Postel.

Ordinary Congregation.

November 15th. Ordinary Congregation.

November 22nd. Antipreparatory Congregation concerning the martyrdom, signs, or miracles of the Venerable Servants of God, Lawrence Imbert and his Companions.

November 29th. General Congregation concerning the virtues of the Venerable Servant of God, John Nepomucene Newmann.

December 13th. Particular Ordinary Congregation.

December 20th. New Preparatory Congregation concerning the virtues of the Venerable Servant of God, Anthony Mary Claret.

[*Latin ed. p. 30*]

30 Acta Apostolicae Sedis - Commentarium Officiale SECRETARIATUS STATI NOMINE: Per mandato del Secretariatus Statis, Sanctissimus Pater dignatus est nominare: 4 Decembris 1920. Dom. Franciscum Marchetti Selvaggiani, Archiepiscopum titulo Seleuciae, Apostolicum Nuntium in Austria. 9 » » Reverendissimos Dom. Enrico Petroccia et Franciscum Roberti; Reverendissimos Patres M. Geslao Paban-Segond de Predicatoribus, Carolum Gouthier S.I., Joannem Baptistam Rabeneck S.I., Georgium Michaelem Sauvage Congregationis Sanctae Crucis, et Augustinum Ruelli Congregationis Augustinianorum; Reverendissimos Sacerdotes Dominicum Tardini et Dom. Franciscum Bracci, Consultores Sacrae Congregationis Sacramentorum. 10 » » Eminenti Dom. Card. Michaelem Lega, Membrum Sacrae Congregationis Religiosorum. 15 » » Eminenti Dom. Card. Oreste Giorgi, Protectorem Instituti Filiarum Mariae, Geronae (Hispania). 19 » » Eminenti Dom. Card. Raffaele Merry del Val, Protectorem Congregationis Sororum Franciscanarum Tertii Ordinis Immaculatae Conceptionis, Jolies (United States of America).

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» » » Eminenti Dom. Card. Donato Sbarretti, Membrum Commissionis Pontificiae pro Interpretatione Codicis Iuris Canonici. » » » Eminenti Dom. Card. Aidanum Gasquet, Protectorem Congregationis Sororum Franciscanarum Tertii Ordinis Sacrae Familiae, Dubuque (United States of America), et Congregationis Sororum Sancti Iosephi, in Carondoies Sancti Ludovici (United States of America). » » » Dom. Antonio Bernasconi, Consultorem Penitentiariae Apostolicae (Sectione Indulgentiarum). 28 V Il Reverendissimus Professor Dr. Franciscus Schneider, ex Dioecesi Paderborn, Auditorem Tribunalis Sanctae Romanae Potaestatis. 29 » » Eminenti Dom. Card. Niccolum Marini, Protectorem Instituti Sororum Carmelitarum Theresianarum Tertii Ordinis. Apostolicis Brevibus, Sanctissimus Pater dignatus est nominare: Assistentes ad Solium Pontificium: 22 Novembris 1920. Dom. Emmanuelem Antonio Arboleda, Archiepiscopum Popayan. 18 Decembris » Dom. Iosephum Schrembs, Episcopum Toletae in America Septentrionali. 20 » » Dom. Simonem Pereira y Castellón, Archiepiscopum titulo Cizici, Episcopum Leonis in Nicaragua.

[*Latin ed. p. 31*]

31. *Diarium Romanae Curiae* ["Annals of the Roman Curia"]: "Domestic Prelates of His Holiness: November 10, 1920. Monsignor Francesco Saverio Pollio, of the archdiocese of Sorrento. 29. Monsignor Pietro Douhet, of the diocese of Moulins. 29. Monsignor Guglielmo Wright, of the diocese of El Paso. December 11. Monsignor Ludovico Ems, of the diocese of Lausanne. 11. Monsignor Eugenio Petite, of the diocese of Geneva. December 15. Monsignor Lazzaro Podestà, of the diocese of Chiavari. 15. Monsignor Modesto Schickelé, of the diocese of Strasbourg. December 16. Monsignor Giovanni Van Cauwenbergh, of the archdiocese of Malines. December 22. Monsignor Giuseppe Fabbri, of the diocese of Sarsina. HONORS. By Apostolic Briefs, the Holy Father deigned to bestow the following honors: The Knighthood of the Supreme Order of Christ: November 30, 1920. To the Most Noble Prince Don Alessandro Ruspoli, Grand Master of the Sacred Hospice. The Grand Cross of the Order of Saint Gregory the Great, civil class: November 25, 1920. To the Most Noble Count Don Giuseppe Enrico de Olano Loyzaga Iriondo y Aldama de Figols, of the archdiocese of Valencia. The Commanderate of the Order of Saint Gregory the Great, civil class: December 2, 1920. To the Reverend Professor Luigi Russo, of the archdiocese of Naples. December 5. To the Noble Count Luigi Macchi, of Rome. The Knighthood of the Order of Saint Gregory the Great, civil class: July 30, 1920. To the Reverend Guglielmo Antonio Arnold Giuseppe Van Jersel, of the Apostolic Vicariate of Suriname. November 27. To the Reverend Francesco Van Gardinge, of the diocese of Bois-le-duc. December 16. To the Reverend Doctor Baldassare Estupinian, of the archdiocese of San Salvador. 16. To the Reverend A. Yoganata Pillaj, of the diocese of Trichinopoly. December 21. To the Reverend Felice Beckers, of the same

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archdiocese. 21. To the Reverend Carlo Cuvelier, of the same archdiocese. 21. To the Reverend Giorgio Van de Rydt, of the same archdiocese. The Commanderate of the Order of Saint Sylvester the Pope: November 30, 1920. To the Reverend Francesco Saverio Seganti, Master of the House of the Sacred Apostolic Palaces. The Knighthood of the Order of Saint Sylvester the Pope: November 18, 1920. To the Reverend Savino Salviucci, of the diocese of Terni. December 2. To the Reverend Emmanuele Borg, of the diocese of Malta.

[*Latin ed. p. 32*]

32 From the Apostolic See - Official Record

MAGGIORDOMATO DI SUA SANTITÀ

NAMES

By order of His Holiness, the following have been appointed:

Extraordinary Secret Chamberlains to His Holiness:

October 19, 1920.

Monsignor Giuseppe Gasteiger, of the archdiocese of Munich and Freising.

November 29.

Monsignor Dionisio Szélyes, of the diocese of Tran sii vania.

December 3.

Monsignor Giuseppe Trezzi, of Rome.

December 3.

Monsignor Gaetano Roma, of the diocese of Veroli.

December 17.

Monsignor Giovanni Cipullo, of the diocese of Caserta.

December 18.

Monsignor Alessandro Paglialunga, of the diocese of Civitacastellana, Orte, and Gallese.

December 18.

Monsignor Pietro Lisbona y Alfonso, of the diocese of Barcelona.

December 23.

Monsignor Giulio Morelli, of the archdiocese of Ravenna.

Extraordinary Secret Chamberlains with Sword and Mantle to His Holiness:

December 9, 1920.

Mr. Alfredo Roberto Camrn, of the diocese of Portsmouth.

December 9.

The Right Honorable Count Clemente de Droste-Vischering, of the dio-

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cese of Münster.

December 9.

The Right Honorable Count Giorgio de Droste-Vischering, of the same diocese.

December 9.

The Right Honorable Count Giuseppe de Droste-Vischering, of the same diocese.

December 9.

The Right Honorable Margrave Carlo of Pers and of Varno, of the archdiocese of Salzburg.

Honorary Chamberlains in Purple to His Holiness:

November 27, 1920.

Monsignor Giacomo Pich, of the archdiocese of Vienna.

November 27.

Monsignor Antonio Graziani, of the archdiocese of Vicenza.

November 27.

Monsignor Ottavio Ronconi, of the same archdiocese.

November 27.

Monsignor Giuseppe P. Dineen, of the archdiocese of New-York.

December 14.

Monsignor Francesco Dezzi, of the diocese of Sarsina.

December 23.

Monsignor Francesco Verdesca Zain, of the diocese of Nardo.

NECROLOGY

December 4, 1920.

Monsignor Francesco Löbmann, titular Bishop of Priene, Apostolic Vicar of Saxony.

December 7.

The Most Reverend Cardinal Giuseppe Sebastiano Netto, formerly Patriarch of Lisbon.

December 9.

Monsignor Giuseppe Meseguer y Costa, Archbishop of Granada.

December 13.

Monsignor Giovanni Gaspare Stork, Bishop of Costarica.

[*Latin ed. p. 33*]

Year XIII - Vol. XIII, January 24, 1921, No. 2. ACTA APOSOLICAE SEDIS, Official Commentary. ACTS OF POPE BENEDICT XV. ENCYCLICAL LETTER FROM POPE BENEDICT XV. TO THE VENERABLE BROTHERS, GREETINGS AND APOSTOLIC BENEDICTION TO THE PATRIARCHS,

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PRIMATES, ARCHBISHOPS, BISHOPS, AND OTHER ECCLESIASTICAL SUPERIORS, WHO MAINTAIN PEACE AND COMMUNION WITH THE APOSTOLIC SEE: CONCERNING THE CELEBRATION OF THE SEVEN HUNDREDTH ANNIVERSARY OF THE FOUNDATION OF THE THIRD ORDER OF FRANCISCANS. We deem it opportune to celebrate the solemnities, since seven hundred years will have elapsed since the foundation of the Third Order of Penance; and for this reason, we urge that, throughout the Catholic world, this be done with the authority of our apostolic mandate, first, for the sake of the proven and hoped-for benefit of the Christian people, and secondly, because it also concerns our own person. For in the year 1882, when the studies concerning Assisi were widely inflamed due to the secular celebration of its nativity, we remember that we also wished to be counted among the students of the great Patriarch, and that we received the sacred habit of the Tertiaries at the church of Mary in the Capitol, whose illustrious edifice provides for the needs of the Minorites. Now, therefore, seated in the divinely established chair of the Prince of the Apostles, we gladly seize the offered opportunity, both for our devotion to the blessed Francis, and for the Church.

[*Latin ed. p. 34*]

34 Acta Apostolicae Sedis - Official Commentary, exhorting its sons, who are everywhere, to embrace this institution of the most holy man, wonderfully suited to the present times, or to diligently maintain it. Above all, let each one keep before his eyes the true characteristics of Saint Francis: for that man, whom some more recent writers present as "fabricated in the workshop of the modernists," an Assisian, little devoted to this Apostolic See, and a specimen of a certain vagueness and emptiness of religiosity, cannot rightly be called Francis, nor Saint! — Indeed, to the most illustrious and immortal merits of Francis for the Christian cause, — by whose grace he was truly called, in a most perilous time, the pillar given by God to the holy Church, — as if a certain accumulation, this Third Order has arisen, by which nothing better illustrates the magnitude and power of that ardor with which he burned in the propagation of the glory of Jesus Christ. For, considering the difficulties with which the Church was then struggling, with incredible zeal he undertook to renew everything according to the Christian law, having founded two families, one of brothers, the other of sisters, who, having pronounced solemn vows, would follow the humility of the Cross, and yet he could not receive all those who, from all sides, were drawn to him by the desire for his discipline; he therefore devised a plan to offer to those living in the turmoil of the world the means of attaining Christian perfection; and he instituted the Order of the Third Order, not, indeed, with the strictness of the two preceding orders in terms of religious vows, but adorned with similar simplicity of manners and zeal for penance. Thus, what no one in any regular family had ever devised, to make a religious way

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of life a common thing, he was the first to discover, and, with God's help, he accomplished it most felicitously: of which the following is excellently said by Thomas of Celano: "Indeed, a most ingenious craftsman, to whose form, rule, and doctrine, offering a proclamation, Christ is renewed in both sexes."

[*Latin ed. p. 35*]

The Acts of Pope Benedict XV, number 35, speak of "the threefold triumph of the militia of the saved." From this testimony of a most distinguished man, and of those times, as we shall omit others, it is easily understood how profoundly and widely Francis, through this institution, moved the people, and how much and how salutary a change in affairs he brought about in them. Indeed, there is no doubt that Francis was the author of the Third Order, just as much as of the First and Second Orders; and it is equally certain that he himself was the most wise legislator. In this, he rendered him a most excellent service, as we have learned, Cardinal Ugolino, who later, under the name of Gregory IX, illuminated this Apostolic See; and the same, having been intimately associated with the Patriarch of Assisi, after his death, enclosed his tomb in a beautiful and magnificent temple. Moreover, no one is ignorant that the Rule of the Tertiaries was rightly sanctioned by the authority of Nicholas IV, our predecessor. But we shall add nothing more on these matters, venerable brothers: for it is our duty here, above all, to show the character and spirit of this institution, of which, as in the time of Francis, so also in these times which are so hostile to virtue and faith, the Church promises great benefits to the Christian people. Indeed, Leo XIII, our blessed predecessor, being thoroughly knowledgeable of affairs and times, adapted the discipline of the Tertiaries, so that it might be more suitable for all degrees, by a Constitution issued under the title *Misericors Dei Filius*, in the year 1873, prudently tempering its laws or rule, that is, by changing some things, namely, the minor things, and those which seemed less in harmony with the present morals: "but having done this," he said, "nothing is taken away from the nature of the Order itself, which we most certainly wish to remain unchanged and intact." Therefore, all the changes made in this matter are external, and have not touched its essence or reason, which remains as it was, as the saints...

[*Latin ed. p. 36*]

36 Acta Apostolicae Sedis - Commentarium Officiale. We desired to be the authors of this. Truly, we believe that the spirit of the Third Order can greatly contribute to the improvement of private and public morals, so that it may entirely reflect the Evangelical wisdom, if it should again flourish as it did in times past, when Francis, with both deeds and words, proclaimed the Kingdom of God everywhere. For, above all, he wished to instill in his tertiaries a certain characteristic, namely, brotherly charity, and a most

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ardent desire for peace and concord. Indeed, understanding that this was the very precept of Jesus Christ, which contained the entire Christian law, he diligently shaped the lives of his followers in this regard. And in this, he also achieved that the Third Order itself might spontaneously become a salutary community of men. Therefore, inflamed with a seraphic zeal for God and for men, Francis could not contain himself; he was compelled to pour himself out to whomever he could. And so, having begun to correct the private lives of his companions and to cultivate Christian virtues in them, as if he considered nothing else, he did not think that he should remain confined to this; but he saw the improvement of individuals as a means to arouse a love for Christian wisdom within the bosom of society, and to benefit all men through Jesus Christ. Therefore, just as it was Francis's intention that the tertiarians in his time should be heralds and forerunners of peace amidst the great discord and the corrupt morals of his age, so it has been with us, when almost the entire world was consumed by a terrible war; and so it is now, with that fire not yet completely extinguished, as it still smolders in many places, and in some places even flares up anew. To this grievous situation is added an internal evil within the states – which itself is engendered by the long-standing oblivion and contempt of Christian principles – as citizens, divided into factions, fiercely contend with one another over the division of earthly goods, so that the common good is in danger of being utterly destroyed. Therefore, in this vast field, in which We, acting as representatives of the King of Peace, are considering certain important matters,

[*Latin ed. p. 37*]

We have presented the acts of Pope Benedict XV and other matters, indeed, all those things which are desired by all the children of Christian peace, but especially by the members of the Third Order, who have wonderfully contributed to the reconciliation of souls, if both their number and their zeal should increase everywhere. Therefore, it is desirable that there should be no town, no village, nor even hamlet, which does not have a sufficient number of members of this kind, and that they should not be content with merely bearing the title of "Tertiaries," but should be diligent and devoted to their own and others' salvation. Moreover, what prevents the various associations, whether of young people, or of artisans, or of women, which exist everywhere under the Catholic name, from joining themselves to this Third Order, and from persevering with the same zeal, inspired by the love of peace and charity, for the glory of Jesus Christ and for the benefit of the Church? For it is not that peace which mankind achieves through the laborious plans of worldly prudence, but that which is brought by Christ, as He Himself affirms: "Peace I give you: My peace I give to you, not as the world does." For that peace, whether among nations or among civil orders, which men devise, cannot long endure, nor can it truly possess the

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power of true peace, unless it consists in the very tranquility of souls; and this tranquility is impossible, unless passions are restrained as by a bridle of duty, from which all kinds of discord arise. "From whence come wars and strifes among you?" asks the Apostle James, "but not from your own lusts, which war in your members?" Indeed, to rightly order all things that are in human nature, so that a man does not serve his own passions, but rather commands them, obeying and submitting to the divine will, upon which, as a foundation, common peace rests, is the work of Christ, and this is wonderfully evident in the Franciscan Third Order. For this Order, as we have said, has this characteristic: that it leads its members to the perfection of Christian life, even while they live in the world.

[*Latin ed. p. 38*]

The Acts of the Apostolic See - Official Commentary 38, involve, establish - for sanctity of morals does not recoil from any manner of life or custom - therefore, when many live in accordance with this institute, it necessarily follows that they are a great encouragement to all those among whom they live, not only to fulfill every duty, but also to aspire to a certain perfection in life beyond what the common law requires. Therefore, the praise that the Lord Christ bestowed upon His disciples, especially those who adhered to Him, when He said: "They are not of the world, as I also am not of the world," is deserved by these disciples of Francis, who, with mind and heart, as far as is permissible in this world, observe the evangelical counsels, and who can truly affirm of themselves what the Apostle said: "But we have received not the spirit of the world, but the Spirit of God." Therefore, abstaining as much as possible from the spirit of the world, they will strive, in whatever way is given to them, to introduce the spirit of Jesus Christ into the common life. Indeed, two things dominate today in the greatest perversion of morals: a certain infinite desire for having and an insatiable craving for pleasures. Hence, this age is especially marked by this flaw and stain, so that, while it makes almost continuous progress in all things pertaining to the comfort and enjoyment of life, it seems to regress miserably into the vices of ancient paganism in that which is greater, namely, in the practice of virtue and the righteous life. For the more the eternal goods, which are prepared in heaven, are obscured among men, the more these things attract and captivate them; and once the mind has cast itself down to earth, it is inclined to strengthen itself in these things, and, despising those things which are spiritual, to know nothing more than pleasures and delights. Therefore, we see, on the one hand, no effort made to seek or increase [virtue], and, on the other, an ancient patience [endured] with [vice].

[*Latin ed. p. 39*]

The acts of Pope Benedict XV, number 39, which are often accompanied

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by poverty or hardship; and since there are such disparities between the poor and the wealthy, the excessive display of worldly finery, which is entirely inappropriate, serves only to increase the envy of the less fortunate. We cannot sufficiently deplore the fact that so many women, of every age and condition, are driven by a foolish desire to please, and do not realize that the attire they wear is not only offensive to all good people, but also offends God. They do not even have enough modesty to avoid appearing in public, and they dare to enter sacred places and participate in religious ceremonies, and even to approach the altar of the Eucharist, where divine chastity is required, adorned with the trappings of vanity and the lusts of the flesh. And those who have recently come from barbarism to the manners of civilized people are even worse, engaging in dances in which nothing can be found more suitable for stripping away all shame. If the members of the Third Order should carefully consider these things, they will understand what is required of them by their Founder, St. Francis. They must, in fact, observe the life of their Founder; they must consider how much he resembled Jesus Christ, especially in his avoidance of the pleasures of this world and his acceptance of suffering, which led him to poverty and to receiving the stigmata on his body. And they must not deviate from him, but should at least embrace spiritual poverty and deny themselves, and carry their own cross. As for the women of the Third Order, they should, above all, present themselves in their attire and in all aspects of their lives as an example of holy modesty to other girls and women; and they should not think that they can contribute more to the Church and to the republic by corrupting morals. Whereas the members of this Order have established various means of charity to assist the poor in their many needs, they certainly do not intend that their brothers and sisters should, in matters of worldly goods, be less generous than...

[*Latin ed. p. 40*]

Acts of the Apostolic See - Official Commentary

Forty earthly years, needing much more, may lack the offices of their charity. And here it comes to Our mind that of the Apostle Peter, who exhorted the Christians to wish, by living piously, to be an example to the Gentiles, so that, considering their good works, they might glorify God in the day of visitation. Similarly, the Tertiaries of Saint Francis ought to spread the good fragrance of Christ widely, with the integrity of faith, the innocence of life, and the eagerness of study, and they ought to exhort and invite brothers who have strayed from the path to repentance: this is what is demanded of them, this is what the Church expects. We, however, from the upcoming festivities, confidently expect good growth for this Order; and we do not doubt that you, venerable brothers, and other pastors of souls, will greatly strive that the sodalities of the Tertiaries, wherever they languish, may revive, and that others also, wherever it is possible, may be

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established, and that all may flourish, not less in the observance of discipline than in the number of members. For it is finally about providing as many people as possible with the way and the means to Christ, in which the hope of salvation is most certainly contained. For as Paul says: "Be ye followers of me, even as I am of Christ," it is permissible to rightly claim this for Saint Francis also, who, by imitating Jesus Christ, became the most similar likeness and image of Him. Therefore, that these festivities may be more fruitful, We, at the earnest request of the General Ministers of the three families of the Franciscan Order, grant from the treasury of Holy Church: I. In all sacred buildings where sodalities of the Third Order have been legitimately established, if there, from the next April 16th, for the entire year, a supplication will be held for three days on account of this secular feast, the members of the Third Order will, on each of those days, receive, under the usual conditions, a plenary remission of sins; and others will receive it once.

[*Latin ed. p. 41*]

The Acts of Pope Benedict XV, however, state that those who, grieving over their sins, visit the Sacrament in Aoste on those days, shall obtain a plenary indulgence as often as they receive it; II. All the altars of those buildings shall be privileged during those days; and also, during that same three days, it shall be permitted to every priest to celebrate the Mass of Saint Francis, as a votive Mass for a grave and at the same time public cause, in that place, observing the general rubrics of the Roman Missal, as they are presented in its most recent edition in the Vatican; III. All priests attached to those buildings shall be able, during those same days, to bestow the benefits of an apostolic indulgence by blessing rosaries, medals, and similar objects, as well as by blessing the Rosaries of the Cross and of Saint Bridget. We, therefore, as a witness of divine graces and of Our benevolence, impart to you, venerable brothers, and to all members of the Third Order, Our apostolic blessing with all Our paternal affection. Given in Rome, at Saint Peter's, on the Feast of the Epiphany, in the year 1921, in the seventh year of Our Pontificate. BENEDICT XV, Pope.

[*Latin ed. p. 42*]

Acts of the Apostolic See - Official Commentary

ACTS OF THE HOLY CONGREGATIONS

SUPREME HOLY CONGREGATION OF THE HOLY OFFICE

I. SUBMISSION OF THE AUTHOR OF A CONDEMNED WORK

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Dr. W. Wilbrand, author of the book *über den Katholischen*, with the title: *Critical Discussions in Higher Schools*, which was condemned by the Decree of the Supreme Holy Congregation of the Holy Office on November 10, 1920, and placed on the Index of Prohibited Books, submitted himself and declared the work disapproved!

Given in Rome, from the offices of the Holy Office, on December 17, 1920.

A. Castellano, Notary of the Supreme Holy Congregation of the Holy Office.

II. DECREE BY WHICH THE REVEREND ERNESTO BUONAIUTI IS DECLARED TO BE SUBJECT TO EXCOMMUNICATION, AND CONSEQUENTLY, TO SUSPENSION *A DIVINIS*.

Considering that the Reverend Ernesto Buonaiuti has, for many years, taught and persistently defended propositions theologically erroneous, and even manifestly heretical; that, having been repeatedly admonished, contrary to his repeated protests of submission and the formal oath sworn on July 13, 1916, he has not shown signs of true and sincere repentance, and that, recently, in the periodical *Religio* (July-September 1920), he dared openly to deny the dogma of the real presence of Our Lord Jesus Christ in the Most Holy Eucharist; the Supreme Holy Congregation of the Holy Office, in its plenary session on the fourth day of the week, January 12, 1921, with the approval of the Holy Father, declared and declares the aforementioned Reverend Ernesto Buonaiuti to be subject to excommunication, according to the terms of the law, and consequently, also to suspension *a divinis*.

Rome, from the Palace of the Holy Discretion, January 14, 1921.

L. Castellano, Notary of the Supreme Holy Congregation of the Holy Office.

[*Latin ed. p. 43*]

The Most Holy Congregation of the Holy Office, 43, III, DECREE OF DAMNATION: Concerning the periodicals "FILOSOFICI" and "RELIGIO" and "RIVISTA TRIMESTRALE DI STUDI RELIGIOSI." Thursday, January 12, 1921. In the general session of the Most Holy Congregation of the Holy Office, the Most Reverend and Most Illustrious Cardinals, entrusted with safeguarding the faith and morals, after the vote of the Most Reverend Consultors, condemned and forbade the following periodicals and ordered them to be placed in the Index of Prohibited Books: "1. Religio, Rassegna di storia delle religioni, founded by Nicola Turchi, directed by Giulio Farina. Rome, Ausonia. "2. Rivista trimestrale di studi filosofici e religiosi, directed by Alessandro Bonucci. Perugia, via Baldeschi, 2." And on the following Friday, January 13th of the same month, the Most Holy Lord, Pope Benedict XV, by divine Providence, in his customary audience granted to the Reverend Fathers, Assessors of the Holy Office, approved, confirmed, and

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ordered the public dissemination of the decision of the Most Reverend Fathers. Given in Rome, from the offices of the Holy Office, on January 14, 1921. A. Castellano, Notary of the Most Holy Office. SACRED CONGREGATION FOR THE CATHEDRAL CHURCH OF ZAGREB. REGARDING THE APPOINTMENT OF COOPERATING VICARS. November 13, 1920. QUESTION: The Archbishop of Zagreb requested from this Sacred Congregation, among other things, the following: "In the archdiocese of Zagreb, there exists a centuries-old custom of appointing cooperating vicars by the parish priest. This custom was introduced due to the scarcity of priests and for the sake of a more efficient administration." The question is: Can this kind of custom be maintained? OPINION OF THE CONSULTOR. - In resolving this doubt, it should be noted that, before the promulgation of the Code, the practice of appointing cooperating vicars by the parish priests was observed everywhere. Indeed,

[*Latin ed. p. 44*]

44. The Acts of the Apostolic See – the Official Commentary – affirms that the Council of Trent confirmed the ancient tradition, and decreed that pastors should: "appoint as many priests as are necessary to assist in this ministry, so that they may administer the sacraments and celebrate the divine worship" (Session 21, Chapter 4). Indeed, Innocent XIII, in the Apostolic Constitution *Ministerii*, dated May 13, 1723, § 11, more precisely determined the manner in which vicars should be appointed in Spain, and Benedict XIII, in the Constitution *In supremo militantis*, dated September 23, 1727, confirmed this Innocentian Constitution and extended it to all local Ordinaries. Since pastors have ordinary jurisdiction in their respective parishes, they can also delegate this authority to others who possess the qualities required by law. It should also be noted that, at the time of the Council of Trent, diocesan seminaries did not yet exist, in which clerics are prepared for the priesthood under the guidance of the bishop. Therefore, at that time, a pastor could more easily recognize a young priest, perhaps brought to the sanctuary by himself, and assess his suitability for parochial ministry than the bishop could. Hence, the Holy Synod only ordered bishops to compel pastors to appoint priests in places "where the people are so numerous that one pastor cannot suffice to administer the ecclesiastical sacraments and to perform the divine worship," so that "they should appoint as many priests as are necessary to assist in this ministry..." This method of appointing assistant vicars, namely by the pastors themselves, has persisted almost everywhere until the end of the eighteenth century, as is also evident from numerous diocesan synods held during that time (and partly compiled in *Analecta Iuris Pont.*, Series V (1861), pp. 877 ff.). However, from the time of the French Revolution, which overturned everything in ecclesiastical and civil society, not only in France but also in neighboring regions, another method prevailed, in which these vicars were

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appointed by the bishops without any intervention by the pastors. This was the case in France, Belgium, and Savoy (Lectures on Canon Law given at the Seminary of St. Sulpice, I, 402; Derenbourg, *Etude canon. sur les Vicaires paroissiaux*, Tournai, 1871, p. 102), in Austria and Germany (Vering, *Kirchenrecht*, Freiburg, 1881, p. 608; Müller, *Lexicon des Kirchenrechts*, III, 278), in the United States of America, in Canada, in Ireland, and in other regions under British jurisdiction (Smith, *Elements of Ecclesiastical Law*, New York, 1887, 7th ed., I, 447). This method of appointing assistant vicars, namely by the bishops without the intervention of pastors, was also approved by the Apostolic See in diocesan statutes (e.g., the Statutes of Monasterien, ed. Krabbe, 1849) and in provincial and national councils (e.g., the Council of Quebec, 1854: *Collectio Lacen.*, III, 652; the Plenary Synod of Ireland at Maynooth, 1875, n. 217).

[*Latin ed. p. 45*]

The Holy Congregation of Councils has declared 45 decrees. Indeed, even in the Plenary Council of Latin America, held in this esteemed city in the year 1889, it was decided in article 270: "However, the parish priest alone is not sufficient, and as many priests as possible should be added to him..." and in article 275, it is prescribed that in a diocesan synod, an accurate description of the obligations and rights of assistant pastors should be made. Therefore, it seems superfluous, and it is not relevant to our matter, to approve this custom as legitimate, claiming it is contrary to the Council of Trent (see Derenbourg, loc. cit., p. 103 sq., and even the Protestant Hinschius, System des Kath. Kirchenrechts, Berlin, 1828, II, 320). However, the Holy Congregation of Councils responded to the Bishop of Ature (Aire) in 1865, who had inquired about this matter: "By law, the nomination pertains to the parish priest with the approval of the bishop; however, considering the particular circumstances, the custom prevailing in other dioceses of France should be maintained, unless otherwise declared by the Holy See" (Bouix, Le parocho, in appendix I, § 5). It is sufficient to indicate that there were many regions in which the aforementioned custom, contrary to this, was in force, compared to those (Italy, Spain, Sardinia) in which the law of Trent was observed. Furthermore, the recently promulgated Code converted this custom into a general law, stating: "It belongs not to the parish priest, but to the local Ordinary, after hearing the parish priest, to have the right to nominate vicars cooperating from the secular clergy" (canon 476, § 3). This canon introduced a new discipline for those regions in which the law of Trent had previously been in force, regarding the nomination of vicars cooperating. In order that the right previously acquired by the parish priests in those regions might be preserved, as far as the new and better discipline allowed, the Code stipulated that the parish priests should at least be consulted by the bishops. Therefore, I believe that this clause "after hearing the parish priest" does not apply to those regions in which, with the

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silence and approval of the Holy See, the bishops had acquired, contrary to the parish priests, the right to nominate vicars cooperating by legitimate prescription, independently of the parish priests; but rather, it should be applied to canon 4: "Rights acquired by others [bishops] remain... intact..." and also to canon 5: "Existing customs, whether universal or particular, which are currently contrary to these statutes, may be tolerated, if the Ordinaries, considering the circumstances of the place and the people, judge that they cannot be prudently removed." I do not know whether the ecclesiastical discipline and the salvation of souls in those often-mentioned regions have ever suffered detriment from this point, because the bishops nominated vicars cooperating for the parish priests without first consulting the parish priests themselves. If, now, the bishops in those regions were to be compelled to consult the parish priests before assigning a cooperating priest to them, no good would result from this innovation, but rather, the opposite would occur.

[*Latin ed. p. 46*]

46 Acta Apostolicae Sedis - An official commentary on matters pertaining to the administration of affairs, especially in large dioceses, is highly recommended. Therefore, it seems to me that a response should be given to the question posed by the Archbishop of Zagreb: Affirmative. Thus far, the opinion of the Consultant. OBSERVATIONS FROM THE OFFICE. - This question, which is raised, appears to be more practical than legal. For it cannot be doubted that the custom in question has not been expressly condemned by the Code, since no indication of such a condemnation can be found. Nor is there any reason to doubt that the custom is contrary to the prescription of the Code: for while the Code prescribes that "the right to appoint belongs to the Ordinary, after hearing the parish priest," the custom holds that the right to appoint belongs to the Ordinary, without hearing the parish priest; and this contradiction is manifest. Therefore, the question is only practical, according to the laudable canon 5, as to whether, in this case, "the Ordinary considers the aforementioned custom to be removable, or not." But, since in this case the Bishop doubts whether the custom can be maintained, he clearly admits that there is no doubt that it can be removed. Indeed, if the purpose of removing the custom is considered, anyone can easily explain what inconvenience would arise if, in the matter of appointing a coadjutor, the coadjutor to be appointed were first consulted, without any established obligation to follow his opinion (c. 105, I). Since this is the case, there is certainly no impediment to the Code, which was given especially to promote uniformity in ecclesiastical law and discipline, from achieving this effect in this case. Finally, what is added concerning the right of bishops in the matter in question, according to canon 4, seems to have been clarified by the aforementioned eminent Consultant in his opinion, since he directly shows, from the history of law, that the law given by the

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Code, with regard to the specific point which the question concerns, is a new law, against which, indeed, any period of prescription has not elapsed. Therefore, a negative rather than an affirmative answer, to the question, as it is explained, would seem to be more appropriate. But how much weight this observation should be given, the Most Reverend Fathers will decide according to their own prudence. Wherefore, etc. RESOLUTION. - Furthermore, the Sacred Congregation of the Council, in the plenary assemblies of the Most Reverend and Reverend Fathers held on November 13, 1920, in the Apostolic Palace at the Vatican, decided that the proposed question should be answered: "Adhere to the disposition of the Code, canon 476 §3." After the aforementioned matters were presented to His Most Holy Holiness by the undersigned Secretary of the Sacred Congregation, His Holiness deigned to approve and confirm the given resolution. I. MORI, Secretary.

[*Latin ed. p. 47*]

S. Romana Rota ACTA 47. TRIBUNALIUM. SACKA ROMANA ROTA I BERGOMEN. Regarding the endowment of a chapel. During the pontificate of Pope Benedict XV, in the fifth year of his dominion, on the 29th of July, 1919, the Most Reverend Fathers, the Prelate Maximus Massimi, the Auditors Julius Grazioli and Francis Parrillo, in the case of Bergomen, delivered the final judgment concerning the endowment of a chapel.

Regarding the endowment of a chapel, between the Reverend Father Lawrence Togni, the parish priest of the place commonly called Zanica, the plaintiff, represented by his legitimate procurator, the advocate Doctor Vincent Sacconi, and the Reverend Father Joseph Pezzoli, the rector of the church of Saint Alexander in Colonna, which is in Bergomi, represented by his legitimate procurator, the advocate Doctor Angel DAlessandri, the following final judgment was delivered.

Gaspar Sirtorius, striving for the salvation of souls, having obtained permission from the Ordinary, erected, within the boundaries of the parish of the town of Zanica, in the diocese of Bergomi, a public oratory, in which sacred rites would be performed, for the benefit especially of a certain part of that town, which is called Capannelle, located approximately three thousand paces away from the parish church. The Ordinary, however, did not grant permission except after hearing the local parish priest, who approved of the matter, and after considering the obligation, regarding all expenses for the maintenance and upkeep of the oratory, to which Gaspar and his heirs had bound themselves.

In order to better fulfill the obligation he had undertaken and to achieve the purpose he had set for himself, he himself, on the 28th of July, in the year 1836, declared, "by himself and by his heirs, that he intended to establish a chapel." The statutes of this foundation established both the obligations of the chaplain and the rights of the same, including the right to use and

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enjoy a certain property "extending to approximately eighty local perches" adjacent to the oratory. At the same time, with the consent of the parish priest, a priest, Ambrose Lavelli, was chosen as chaplain, who, agreeing, signed the document and accepted the office.

Less than three years later, Gaspar offered himself and all that he possessed to the religious house of the Conventual Fathers, which was located in Bergomi, under the invocation of Saint George. Therefore, by an instrument dated the 22nd of March, in the year 1839, he ceded all his property to this house.

[*Latin ed. p. 48*]

48 Acta Apostolicae Sedis - Official Commentary, nevertheless, with the condition that the endowment, which he had established, should remain intact. He ordered that, after the first chaplain chosen by himself, others should be elected, either from within the family or from outside. Furthermore, defining the obligations of the chaplainship once again, he granted the Reverend Fathers Conventuals the power to increase "the salary corresponding to the chaplain," and also to determine "the salary which they deem appropriate, with the possibility of deviating from that established by the donor" (article XIV). Both the first chaplain, and his successor, Bertacchi (from 1853 to 1858), designated by the religious house, benefited from the property, which we mentioned above, and the nearby oratory. The third chaplain, known as Regazzola, from the year 1859 to the year 1863, resided in the oratory, as his predecessors had done, and afterwards moved elsewhere, requesting to serve in the oratory on feast days. It is certain that under his tenure, the use and enjoyment of the property, which the previous chaplains had possessed, ceased, as there is a document in the records of a contract by which the Reverend Fathers Conventuals leased the property for a long period in the year 1864. In the year 1868, the religious house of St. George was suppressed by public laws. The pious founder had foreseen this misfortune, taking care that a parish priest should succeed in the place of the suppressed house, for the time being, for the church of St. Alexander in Colonna, which is in Bergamo. Thus, the assets of Gaspar passed to the parish priest of St. Alexander, who, claiming these assets for himself, fought in the courts and obtained a victory with a judgment of February 19, 1874. The new chaplains were not restored to the use and enjoyment of the disputed property, nor did they address this matter legally, until the year 1915, when the parish priest of the town of Zanica requested that the property be given to the chaplain of the locality of Capannelle for his use and enjoyment. Resisting this request, the parish priest of St. Alexander, the matter was brought before the administrative authorities in the Court of Bergamo, and the decision was made against the petitioner. He insisted that the matter be settled in a judicial manner, but the judgment of the Tribunal of Bergamo

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was unfavorable to him, although he had won against two objections raised by the parish priest of St. Alexander. For, in this case, the court denied the parish priest of the town of Zanica the right to bring the action, and ruled that the statute of limitations did not apply. From these interlocutory judgments, the parish priest of St. Alexander did not appeal, but he appealed the final judgment to the N. T., before which the matter is being debated today: whether the use and enjoyment of the property in question belongs to the chaplain of the locality of Capannelle. The right that pertains. - Since a judgment has been rendered between parties, one of whom, at least, does not have standing to sue, it is affected by an incurable defect of nullity (Cod. I. C, canon 1892, 2). Therefore, before inquiring into the principles of law relating to pious endowments and chaplainships, the Reverend Fathers reviewed the question of whether the parish priest of the town of Zanica was able to claim the disputed right. They considered that a positive answer should be given to this question. For it is of the utmost importance that the rights of chaplainships established for the evident good of the parish should be preserved. Furthermore, it is advantageous for the chaplain that what Reiffenstuel states (Ius can., lib. II,

[*Latin ed. p. 49*]

49 S. Romana Rota, title XXVII, paragraph 156: "When a dispute arises in court concerning a matter that pertains primarily to me, and I have the power to remove the litigant, or to bring an action concerning that matter myself, or at least to testify so that another does not litigate to my prejudice, and yet I remain silent, I am considered to consent to that person's action, according to Rule 43 of the Law, in section 6: 'He who is silent is considered to consent'; and thus, it is understood that the other person is litigating with my consent" (1. Saepe constitutum, D. De re iud.). This is confirmed in the present case by the explicit declaration of the chaplain, who stated: "Therefore, it is evident whether I can be content with my situation, and whether I should participate in the lawsuit. Naturally, with peace of mind and financial security, I entrusted myself entirely to my most reverend Prelate" (in the records). Regarding the nature of a chaplaincy, the Holy Fathers have kept these rules in mind. Chaplaincies, so called because they often involve the obligation of celebrating the sacrifice of the Mass or performing certain services on specific days in a particular chapel or altar, do not always have the same nature; they are defined by the terms of their foundation (Berardi, Comm. in ius eccl., vol. 1, page 437; D'Annibale, Theologia moralis, III, § 71). The primary distinction between them is that they are either ecclesiastical or lay. Ecclesiastical chaplaincies are those established by a competent ecclesiastical authority (arg. ex Cod. I. C, canon 1412, 2); lay chaplaincies are all others, in which the founder himself, by his own will, has arranged everything. In the latter case, it is also possible for a chaplaincy to be assigned to a cleric, provided that a

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cleric is designated who has been approved by the Ordinary to perform the duties required by the terms of the foundation (Berardi, loc. cit.; Sebastianeiii, De personis, 182, d). Ecclesiastical chaplaincies, when they are included among benefices, are not considered benefices in name, whereas lay chaplaincies are (Cod. I. C, canon 1412, 2). These, on the other hand, are usually equated with pious bequests or pious donations. Thus, Reiffenstuel writes: "If someone establishes certain Masses, or even anniversaries, with a fixed stipend, in perpetuity, unless the approval of the Bishop is obtained, it will not be a benefice, but only a pious bequest or a pious donation" (Ius. can., lib. III, tit. V, n. 16). And De Luca writes: "I stated at the outset, to reach a certain conclusion today... that, since this chaplaincy did not have a formal establishment as a benefice with the authority of the Ordinary or another Superior, it would not be regulated with spiritual or beneficial terms, but with secular terms, as a simple bequest for the celebration of Masses, which is assigned to the heir to be performed by any priest of his choice, according to the masterful opinion in Melphiten-Legati pii, before Dunozetto (among his decisions 101)" (De iure patronatus, disc. XV, n. 4). Regarding pious foundations, the following definition is given in the Code of Canon Law: "By the name of pious foundations are understood goods of a temporal nature given to a moral person in the Church in some way, with the burden of perpetually, or for a long time, celebrating certain Masses, or performing other specified ecclesiastical functions, or carrying out certain works of piety and charity" (canon 1554, § 1). When pious foundations are established by a person...

[*Latin ed. p. 50*]

50 Acta Apostolicae Sedis - The official commentary does not accept that these matters can be decided without the consent of the local Ordinary (canon 1546, § 1); in the case of pious foundations in churches, even parish churches, the rights exclusively belong to the Major Superior (canon 1550) of religious institutes exempt from ordinary jurisdiction. It is essential, in all these matters, that the wishes of the faithful who donate or bequeath their property to pious causes be diligently fulfilled (canon 1514). Therefore, the very essence of the matter lies in investigating these wishes. The learned Fathers, having diligently investigated this matter, have noted that the principle cited in the appeal was not well established, concerning the broadest possible interpretation of donations in favor of the donee, to be adapted to the circumstances. For, in the first place, this principle cannot be admitted as a general rule of law: "For, in donations, especially those of Princes, the widest interpretation must be given in favor of the donee" (De donatione ad finem, c. Cum dilecti, 6). This is because, in contracts, the fullest interpretation is to be applied; in testaments, a more complete one; and even in benefits, the fullest interpretation is to be applied (Beneficium, 3, ff. De Constitut. Prmcip.; Beneficium Imperatoris, which proceeds from

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the divine indulgence of the Emperor, which we must interpret most fully; however, since to give is to lose and to squander (De donat., l. filius familias, 7 pr. ff.), and no one is presumed to squander their own, arg. I. Cum de indebito, 25 pr. sin ver., ff. De Probat.), the interpretation is made in favor of the donor, where there is not sufficient evidence of a donation. For the same reason, the interpretation must be made in favor of the donor if it is doubtful whether more or less has been donated. Likewise, the interpretation must be made in favor of the donor if the donation prejudices the already existing right of a third party, because no one is presumed to wish to prejudice another (Reiffenstuel, Tractatus de Regulis iuris, Reg. LVII, n. 9). Furthermore, the principles concerning donations are not to be adapted to the circumstances. Indeed, the very sentence cited above, shortly before stating that rule, said: "A foundation, legitimately acquired, takes on the nature of a synallagmatic contract: 'I give that you may do'" (Cod. I. C, canon 1544, § 2). The facts of the case: The property, formerly belonging to Gaspar Sirtorius, including the disputed property, passed to the parish priest of the church of St. Alexander, by an instrument dated August 13, 1868, which is recorded in the records. There, it is stated at the beginning: "Firstly, the parties involved declare that they are aware of the entire content of the documents of March 10, 1837, and March 22, 1839, which in every respect confirm and wish to be respected in perpetuity." And at the end: "For everything that may have been forgotten in this instrument, the parties involved fully refer to the provisions of the aforementioned constitutive documents of March 10, 1837, and March 22, 1839, and in particular to what is stipulated in article XIV of the latter document." Therefore, all investigation must be directed to the documents mentioned; in this case, to the instrument of March 22, 1839, since the other document refers to other assets and is not relevant to the matter. It cannot be objected to this conclusion that the instrument of 1868 lists the obligations of the Sirtorius foundation, and that among these, there is no mention of...

[*Latin ed. p. 51*]

St. Bomäna Bota 51. mention is made of the disputed usufruct. For, omitting other matters, since it is certain, as stated above, that the chaplains of that time did not possess the usufruct of the property in question, it is not surprising that, when the facts were presented under the formula: "all the burdens which today still exist to the following extent," the usufruct, which had ceased by the act, was overlooked. But today, the question is raised whether this cessation occurred legally or unjustly. Therefore, referring to the instrument of March 22, 1839, by which the pious founder bequeathed all his property to the religious house of St. George, with the stipulation that the chaplaincy should not suffer any detriment, which he himself had established by a document of July 28, 1836, the Prelates wished to clarify the disputed issue, namely, whether the rights of the chaplain are

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to be determined according to the instrument of 1839, or even according to the document of 1836. The patron of the parish church of St. Alexander, relying on the aforementioned judgment, argues that the pious founder changed his will in 1839, which had been manifested in 1836. The other party denies this. < Regarding this matter, the Prelates, after a comparison of both documents, concluded that there was no exclusion of the prior will by the subsequent one, but rather, that both documents, in essence, agreed with each other. For the chaplaincy established in 1836, since it was not erected by a competent ecclesiastical authority, must be considered as a lay foundation. Indeed, the permission previously obtained from the Ordinary to erect a public oratory, with the perpetual obligation of bearing the expenses of its conservation and upkeep, did not imply the canonical erection of a chaplaincy. However, as stated above, a lay chaplaincy is equivalent to pious bequests and donations. Since, in the instrument of 1839, the pious foundation is clearly accepted as a donation with the burden "of maintaining the chaplaincy active," it follows that this act is not of such a nature as to overturn the previous one. It cannot be said that there was a change of will based on changes in the laws concerning chaplaincies. In this matter, the aforementioned judgment contains much that indicates that the burdens imposed on the chaplains in 1836 were, in 1839, "significantly" reduced. But if one reads the instrument itself, one will find that the burdens imposed on all chaplains by the founder are still very heavy. They include: "1) to keep the church and its sacred furnishings clean and well-maintained, which will be delivered to the chaplain each time, with a detailed inventory and a proper guarantee, so that he may preserve them and return them in kind, except for their natural deterioration due to use; 2) to celebrate Mass decorously in the aforementioned church perpetually, with religious zeal and diligence, and as the convent deems best; 3) to have one hundred and fifty Masses celebrated annually, perpetually, in that church, according to the intention of the founder, as has been practiced up to now, with the obligation for the chaplain to be present at Mass on all holy days, none excepted; 4) to assist with diligence and zeal the sick of the neighborhood, with the obligation to give Christian instruction on all holy days and to hear the confessions of both sexes in that church, with diligence and promptness."

[*Latin ed. p. 52*]

The Acts of the Apostolic See, in its official commentary, considered the sentence concerning the new obligations of chaplains to be of great importance. However, it suppressed what was read under number 2, as if these obligations applied not to chaplains, but to a religious house. Nevertheless, these obligations, which are stated very broadly as "according to what the convent deems best," take the place of many others, which were specifically established by the pious founder in the year 1836. It must also be noted that

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the new instrument grants the founder of the religious house the faculty to increase the obligations. Therefore, the Fathers [of the Church] stated that the obligations of the chaplaincy had indeed been redefined, but not substantially changed, since the nature of the chaplaincy as an assistant with some care of souls, which implies the necessity of residence, remained intact. Since there is no contradiction between the two documents, it follows that the rights of the chaplain are defined by both. Therefore, if, according to the first document, a specific property is manifestly assigned to the chaplain for use and enjoyment, it must be presumed that this right has persisted, even after the second document. The arguments that are put forward to the contrary are found to be empty, derived either from the very fact of the donation, or from article XIV of the instrument of the year 1839. For, indeed, the ownership of the disputed property passed to the religious house, not by a pure donation, but by that pious foundation, which takes on the nature of a synallagmatic contract: "do ut facias," with the obligation imposed: "do that you may [have]." Furthermore, article XIV did not grant the religious house the faculty to suppress the usufruct of the disputed property. The article states: "If the case contemplated in article IX occurs, that is, if 'the convent must maintain the chaplaincy, by electing a chaplain 'according to its own judgment,' the convent may, in such a case, impose on the chaplain, 'in addition to the obligations contemplated in the present instrument, those others which it deems appropriate,' while also paying to the chaplain the stipend that it deems convenient, and being able to divert it from that which is currently established by the donor." It is evident from the context that this refers only to the faculty of increasing the stipend, since this faculty corresponds to the faculty of increasing the obligations. Otherwise, this interpretation would have to be considered absurd: "The convent may impose new obligations on the chaplain, by reducing the stipend." Therefore, it is far from the case that the religious house can suppress the usufruct, of which we are speaking, to the extent that it cannot even deduct the smallest part from the money assigned to the chaplaincy. Furthermore, the Fathers did not hesitate to assert that, even if the disputed right of the chaplain existed, and even if the old document of the year 1836 were abrogated, everything would have to be determined according to the instrument of the year 1839. Indeed, in this instrument, article VII states: "It shall also be the obligation of the convent to continue to pay to the chaplain of the church of San Giuseppe di Zanica, which was established by the founder for the benefit of said town, one thousand Austrian lire per year, in addition to the use of the portion of the house that he already enjoys, and of the fruits of the funds also assigned in usufruct, as is evident from the documents of July 28, 1836, acts of the notary, Mr. Angelo Custode Locatelli, as well as to pay to the sacristan one thousand Austrian lire, as long as he remains in service." The sentence "quidem appellata sententia"

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[indeed, the aforementioned sentence] is retained.

[*Latin ed. p. 53*]

The Roman Rota, in this matter, describes the rights of a chaplain who was elected in the year 1836, but who was unjustly deprived of them, as is evident if the arguments presented in the aforementioned document are examined. The first argument derives from the beginning of Article VIII: "Upon the death of the current chaplain," and the second from Article XIV, which grants the religious house the faculty of "corresponding with the aforementioned chaplain, even that salary which it will deem convenient, with the possibility of deviating from that which is currently established by the donor." For, although Article VIII, concerning the obligations imposed upon and to be imposed upon the chaplain, has effect "upon the death of the current chaplain," it does not follow that Article VII, concerning the rights of the chaplain, is valid only "for the current chaplain." Rather, it should be noted that in Article VII, no mention is made of the name of the former chaplain, nor is there that limitation which appears elsewhere in the instrument: "the current chaplain." Furthermore, there is no contradiction between Article VII, understood in such a way as to apply to all chaplains, and Article XIV. Indeed, chaplains are entitled to the rights described in Article VII, and they are not deprived of these rights, even if their salary is increased due to increased obligations. Moreover, from the faculty mentioned in Article XIV: "with the possibility of deviating from that (salary) currently established by the donor," it can be argued that some law concerning the rights of chaplains was established. This law is contained in Article VII. All of these points are further confirmed by the undisputed fact that another chaplain, elected by the religious house in the year 1853, that is, long after the aforementioned instrument, enjoyed the use of the property in question. Therefore, the religious house has interpreted Article VII, as mentioned above, as if it applied not only to the former chaplain, but to all chaplains. It does not invalidate this interpretation that, subsequently, due to various circumstances and abuses, the use of the property in question ceased. For this cannot harm the chaplain unless by the title of prescription, which cannot be invoked in this case, as is evident from the interlocutory judgment of the Tribunal of Bergamo of November 14, 1916. Furthermore, it has been proven that a third chaplain, named Regazzola, also enjoyed the use of the disputed property until the year 1863, when he ceased to reside at the oratory for certain reasons. This is deduced from the testimonies of Sanctis Bergaminelli, Caroli Zini, and Iosephus Zini, the latter of whom should not be considered suspect because he has adduced two reasons for the interruption of the use, which are indeed different, but true. This is further confirmed by the fact that, in the year 1864, the aforementioned property was let out. Having considered all of these matters, both in law and in fact, We, the undersigned Auditors, sitting for the Tribunal and with

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God alone before our eyes, invoking the name of Christ, decide, declare, and definitively sentence, answering the proposed question: Affirmatively, that is, that the chaplain of the parish of Capannelle is entitled to the use of the property in question. Furthermore, We declare that the fruits of the disputed property are to be restored to the chaplain from the date of the commencement of the contested litigation, and We order that, especially since the cause was initiated before the promulgation of the Code of Canon Law, the judicial expenses of both instances be paid.

[*Latin ed. p. 54*]

54 Acta Apostolicae Sedis - Official Commentary, with the understanding that the costs are to be borne by the parties, except for the court fees which are to be paid by the parish priest of St. Alexander. Thus we pronounce, ordering the Ordinaries of the places and the officials of the Tribunals to whom this pertains, to enforce this our definitive sentence, and to proceed against those who resist, in the name of the Holy Canons, and especially title XVII, 1, IV, of the Code of Canon Law, concerning the enforcement of sentences, using the executive and coercive means that are most appropriate and effective for the circumstances. Rome, in the seat of the Tribunal of the Holy Roman Rota, on the 29th of July, 1919. Maximus Massimi, Presiding. Julius Grazioli. Franciscus Parrillo. L. S. From the Chancery, August 18, 1919. Rev. T. Tani, Notary. II VICARIATE APOSTOLIC OF CHANSI: NULLITY OF MARRIAGE (MARIA-HIN - MERIDIONALIS TSI-TCHENG-LIN) Under the blessed reign of Benedict XV, in the sixth year of his Pontificate, on the 14th of November, 1919, BR. PP. DD. Ioannes Prior, Presiding, Aloisius Sincero and Fridericus Cattani, Auditors from Tournon, in the cause of the Vicariate Apostolic of Chansi Meridionalis: Nullity of Marriage, between Maria Hin, represented by her legitimate procurator ex officio, the Reverend Aloysius Carabini, advocate, and Tsi-tcheng-lin, who intervened and argued in the cause as Defender ex officio, pronounced the following definitive sentence on appeal. A certain pagan, named Hin-tsing-kiang, residing in the place of Ta-], in the Vicariate Apostolic of Chansi Meridionalis, within the territory of China, pressed by poverty, sold his daughter, Hin, to another pagan, in order that she might be joined in marriage to the son of that pagan, Tsi-tcheng-lin, who was thirty years of age. The spouses, according to the custom of the pagans, worshipped heaven and earth, as was customary in that place, and celebrated their marriage in the year 1900, at which time the girl, Hin, was only thirteen years of age. After a short time, the girl perceived that her husband did not understand anything about marriage, and was entirely incapable of managing household affairs; therefore, shortly thereafter, she...

[*Latin ed. p. 55*]

Saint Bonaventure. At the age of 55, she lamented her unhappy fate with

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her parents, having entered into marriage. After four years of marriage, the woman, having been instructed in the Christian religion by missionary fathers, embraced the faith and took the name Mary in Baptism; however, her husband refused to renounce his pagan superstitions. Sadly, the newly acquired faith did not lead to virtuous behavior, for the unfortunate girl entered into a concubinage with a man who frequented her home, and she became the mother of several children through this union. Her husband did not lift a hand to prevent this adulterous act, nor, it is said, did he ever express sorrow over his wife's immoral behavior; indeed, he seemed to be completely unaware of the injury she had inflicted upon him and upon all. After several years had passed, when Tsi-tcheng-lin separated from his wife and she, because of her concubinage, was excluded from receiving the Sacraments, she petitioned the Apostolic Vicar to declare her marriage null. Therefore, the matter was investigated in due order by a delegated judge, and a judgment was issued on October 6, 1916, favorable to the woman, declaring that no marriage had been contracted due to the lack of consent, at least on the part of the husband. However, the Defender of the Bond appealed to the Most Holy Auditorium, and the case was presented to us for consideration at the appellate level, under the usual formula of doubt: Whether the marriage is null in this case. The advocate for the woman, among other arguments more relevant to the matter, discussed the Pauline privilege, claiming that it applied in this case; however, it does not fall within the jurisdiction of the Holy Roman Rota to judge matters concerning such a privilege of faith, as the judgment regarding such privileges, according to canon 247, § 3 of the Code of Canon Law, belongs exclusively to the Holy Congregation of the Holy Office, which "alone knows those things that, either directly or indirectly, pertain to the law and to the fact concerning the so-called Pauline privilege." It is also unnecessary to dwell on the accusation of fear instilled in the woman by her parents, since no specific facts were alleged by the witnesses that could be considered probable evidence of this alleged fear, and of the five witnesses questioned on this matter, three stated that they knew nothing about it, while the other two, the woman's father and brother, testified that she eagerly desired to enter into the marriage. The father said: "At the time of the marriage celebration, she went willingly, because the family of the groom was wealthy, and at that time she had no means of sustenance in her own home; she also did not know that the groom was somewhat simple-minded." Therefore, it is necessary to investigate only the lack of consent on the part of the husband, who was commonly called simple-minded. In law. – Marriage is contracted by the mutual consent of both parties, which requires a free choice of the will, with prior rational knowledge, as in every human act. Such consent from both parties is so essential to marriage that "no human power can supply it," as declared by Pius VI in his letter to the Bishop of Erlau on July 11, 1789, and in canon 1081, § 1 of the Code of Canon Law, it is decreed.

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However, for a valid contract, it is not enough simply to use reason, but a proportionate discretion of judgment is also necessary, by which the nature of the contract is understood.

[*Latin ed. p. 56*]

56 Acta Apostolicae Sedis - The official commentary is understood, at least in part, and not merely its essential properties. However, a more mature judgment is required above all others in the case of marriage, because marriage is, by its very nature, a contract that is perpetual and indissoluble, and burdened with grave obligations. Regarding the matter of Gasparri (n. 881, ed. 1904), "It is clear that the use of reason is necessary, in general, for the contractual consent, and in particular for the matrimonial consent. After seven years, 'it usually appears.' But the simple use of reason is not enough; rather, a discretion or maturity of judgment is required that is proportionate to the contract, so that one may understand its nature and force; otherwise, one cannot truly consent." Therefore, Doctors commonly admit that those who are impuberal, those close to childhood, are not, either civilly or naturally, bound by a contract in general. Therefore, for a marriage to be valid, each party must possess the use of reason to such an extent that they are able to understand what marriage is and its essential properties; otherwise, it is clear that they cannot have an implicit consent. It is sufficient that they are able to understand, even in a confused way, that a perpetual and exclusive union is being established in order to procreate children, without knowing those things that pertain to the nature and manner of generation. This doctrine of the old canon law is received in the new Code, where it is written (can. 1082, § 1): "In order that a matrimonial consent may be given, it is necessary that the contracting parties at least do not ignore that marriage is a permanent society between a man and a woman for the procreation of children." Therefore, the Church has established a canonical age before which marriage cannot be either licitly or validly contracted, namely twelve years for women, fourteen years for men, or, after the promulgation of the new Code of Canon Law, fourteen and sixteen years respectively, according to can. 1067: for puberty is necessary for marriage, according to the unanimous opinion of Doctors, not only because it includes the power to generate, but also because it includes discretion or maturity of judgment for understanding the essential obligations of marriage. Furthermore, he who lacks this discretion is, by the law of nature, incapable of contracting marriage. Regarding this, Wernz notes (De matr., n. 320, ed. 1912): "If discretion of judgment is lacking in either of the contracting parties, by the law of nature, due to a lack of consent, the validity of the marriage is impaired, both in baptized men and in unbaptized men." It is indeed presumed that all possess this discretion of judgment after reaching puberty; however, this presumption is only of law, not of law and de jure, and it admits of proof to the contrary. Wernz notes

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(loc. cit.): "If the prior condition of discretion of judgment is, in fact, lacking in either of the contracting parties, even after reaching the legitimate age, notwithstanding the positive law presumption, according to the truth of natural law, the marriage is illicit and invalid." Indeed, it has sometimes happened that, after the exact age of puberty, the due discretion of judgment is absent not only in those who are closer to the age of puberty, due to a slower development of intelligence, as in the case of a thirteen-year-old girl in Ventimiglia, decided by the Sacred Congregation of Councils on May 10, 1888, but also in those who have reached a more advanced age, due to a lack of...

[*Latin ed. p. 57*]

In the Roman Rota, cases arise either from illness or misfortune. A simple rule cannot be applied to all cases for judgment, nor can the rule indicated by Sanchez (lib. I, disp. 9, n. 5) be approved, namely, that it is sufficient for the contracting party to have "a sufficient reason to commit a deadly sin." For it is sufficient to commit a deadly sin simply by using reason, while, as we have stated above, Doctors require more mature judgment to enter into a marriage contract. Indeed, the blessed Thomas himself requires this for the contract of betrothal, and therefore, a fortiori, it should be required for the more serious and irrevocable marriage contract. He writes in IV, dist. 27, qu. 2, art. 2, ad II: "Even present consent is sufficient for mortal sin, but in betrothals, there is consent for the future; greater, however, is the discretion of reason required to provide for the future, than to consent to a single present act, and therefore, a man can sin mortally before he can obligate himself to something in the future." It should rather be considered, when the question is of a marriage already begun, how the contracting party, who is accused of being foolish, behaved in his daily life before the marriage, and especially whether he understood, at least in the beginning, the essential rights and obligations of marriage. In the case at hand, the matter concerns a marriage between non-believers, namely, a natural marriage, for which any expression of the parties' consent is sufficient. The pagan marriage rite prevailing in the region of Kosso is described by the Delegate Judge as follows: "The bride, seated in the wedding palanquin, is led in procession to the groom's house, where both, the groom and the bride, in a prepared courtyard, in the presence of the family and with the assistance of two or more officiants, must perform three prostrations in honor of heaven and earth." All witnesses who spoke about this matter, except for the bride herself, reported that both spouses duly performed these ceremonies. Therefore, with regard to the external manifestation of consent, there can be no doubt on the part of the man; the bride's testimony to the contrary is contradicted by the depositions of several other witnesses, who are declared to be trustworthy by the Judge. The defendant, Tsi-tchenglin, was thirty years of age at the time, and is therefore presumed by law to

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have understood the nature of the contract. However, this legal presumption must give way to the truth manifested by the witnesses, who state that he was almost entirely lacking in the use of reason in his daily life, and especially in matters relating to the nature and essential properties of marriage, so that it must clearly be concluded that he did not understand the nature of the marriage contract. Thus, they testify about the way he behaved in his ordinary domestic life; Peter Tchang says: "He does not know how to cultivate the fields, how to buy everyday things... He does not care about domestic affairs, he cannot grind wheat with the mill, he does not know how to distinguish between his own things and those of others." The witness Liou-Chou says: "He does not know how to cultivate the fields; he knows how to buy small things, but he does not know how much they cost; he only knows how to count up to ten; he does not know how to bargain... He does not speak clearly and distinctly." The bride's father testifies: "He does not know how to cultivate the fields, nor can he..."

[*Latin ed. p. 58*]

58 Acta Apostolicae Sedis - Commentarium Officiale: "He can order others to manage affairs in this or that way; he understands his own limitations, and from himself, he cannot commend anything. When his wife says to him, 'You must commend this or that,' then he can. He cannot manage domestic affairs. He cannot buy ordinary things; he does not know their value; he cannot calculate; he does not know how many fingers he has." Anthony Heou: "He cannot manage domestic affairs. He cannot calculate. He knows nothing." Similarly, Cecilia Liou and Agatha Hin, the actress's mother, testify. The first adds: "When his wife does not take care of him, he does not take care of his clothes; once, his trousers were very torn, and he was neither ashamed nor concerned about it; his wife told him to change them, but he refused." The second says: "He still does not know what he should wear; he only wears clothes when his wife orders him to." And the bride's father says: "He only does something when prompted by someone else, or when someone else commands him in a directive way; when asked, he says, 'No.'" Only the bride's brother disagrees with the other witnesses, although he himself calls the defendant "semifatuum." However, this witness should be regarded with suspicion, as noted by the investigating judge, because, according to the customs of that ethnic group, his family's reputation would be greatly harmed if his sister, after a dissolved first marriage, were to flee with a lover. Indeed, the father of the witness testified that he had the intention of "killing both the sister and the lover" because of the defamation of his family. Therefore, the testimony of the actress's brother does not diminish the force of the unanimous testimony of the other witnesses, which ultimately leads to the conclusion that the man, Tsit-cheng-lin, understands and is able to do almost nothing in his daily life, things that even people of the same age and place spontaneously grasp and

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easily do, but even young children who have just left infancy. Furthermore, it appears that he does not act with the guidance of reason, but rather allows himself to be driven hither and thither by others. Therefore, it is not surprising that the judge of the first instance considered it a waste of time to call him to testify. The Defender of the Bond actually visited him at home, but Tsit-cheng-lin answered nothing to the many questions asked of him, and although he knew the year he was born, he did not know his age. Finally, the Missionary Father, who had known him since the third year of his marriage, that is, since 1902, testifies under oath: "From that time, he has never given me a correct answer to any question. As far as I know him, his intellect cannot be compared to that of a seven-year-old child." All the witnesses report that, since childhood, from the age of five or six or even ten, he has been considered "semifatuum," commonly called a simpleton. More serious are the things that the witnesses recount about his lack of judgment with respect to matters specifically related to marriage. Thus, five witnesses believe that he did not understand the meaning of the marriage ceremony, which, as they say, he only completed under the prompting of others. Some testify that he is ignorant of the bonds of affinity, which are generally known to everyone, that immediately arise from a marriage contracted, or that would exist between him and

[*Latin ed. p. 59*]

In Rome, on the 59th day, the father and mother of the bride, or between himself and his wife. Thus testifies the father of the bride: "According to Chinese customs, after marriage, 'the groom should go to the bride's parents' home to greet the bride's parents,' which he did not do. Nor did he ever acknowledge his wife's father as 'his father-in-law.'" This is confirmed by the bride's mother. The father also testifies: "He does not know that she is his wife. When others say to him, 'That is your wife,' he replies, 'Ah! Ah! My wife.'" Similar accounts are given by the bride's mother and Caecilia Liou. He did not understand that, by virtue of the marriage, he had the exclusive right to use his wife's body for procreation; for five of the seven witnesses questioned on this matter testify that he never prevented his wife from freely approaching her with the intention of sinning, although he was commonly known to be living in concubinage, from which at least two, and some say four, sons were born; nor did he ever protest against this grave injury of adultery. The sixth witness, when questioned about this matter, replies that he does not know. Only the bride's brother partially contradicts, and recalls that the husband once rebuked the concubine and his sister, saying, "Once, the half-wit rebuked the concubine and my sister. The sister defended the concubine; then the half-wit struck my sister; afterwards, I arrived, and the concubine immediately left, and I prevented the half-wit from striking my sister. I only know that he protested that one time." It is not clearly evident from this testimony that the rebuke of the half-wit

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was due to the shameful familiarity of another man with his wife, for the bride's brother, according to his testimony, did not witness the argument in which the husband rebuked and the wife defended the concubine, but only "arrived afterwards," while Tsi-tcheng-lin was striking his sister. Nevertheless, even though the event narrated by the witness did indeed occur, it does little to diminish the value of the testimony of the other five witnesses, for the concubinage lasted for many years, was known by its appearance and dress, and from it, as some say, four, or at least two, sons were born. The husband himself, over the years, saw the same signs of the adulterous relationship that would not have escaped anyone; therefore, if he was only once moved to righteous anger, it must be concluded that he was unaware of the grave injury constantly inflicted upon him; and such prolonged and gross ignorance, in the face of obvious signs of adultery, is evidence of a lack of discretion in understanding matters of sexuality. Furthermore, the witness Antonius Heou testifies that he saw the husband, Tsit-tcheng-lin, present when another half-wit attempted to commit adultery with his wife, but that he did not understand what was happening. This is also confirmed by the witnesses who heard about it: Antonius Liou, Ant. Suen, the bride's father, Caecilia Liou, and Petrus Tchang. Finally, when asked whether the husband was capable of having carnal relations with his wife, the bride's father, Ant. Liou, and Caecilia Liou replied that he was incapable of it on his own, and did not understand the marital relationship, and that he could only perform the marital duty when prompted by his wife or instructed by others. Indeed, some witnesses even dare to assert that he did not know the difference between a man and a woman. Thus, Antonius Liou: "I never heard that he knew, either in his youth or later..."

[*Latin ed. p. 60*]

Acts of the Apostolic See - Official Commentary 60: "He had relations with women. He does not distinguish between man and woman, 'but treats all alike.' And the father of the bride: 'He cannot distinguish women from men, nor does he ever address them with vulgar words.' Indeed, all of this clearly demonstrates that the man, Tsi-cheng-lin, at the time of the marriage and afterwards, lacked the proper discretion of judgment proportionate to the marriage contract, or that he ignored the nature and essential properties of the woman, so that the marriage could not validly be entered into. Having considered all of this in law and in fact, We, the undersigned Auditors, sitting for the tribunal and having only God before our eyes, invoking the name of Christ, decree, declare, and definitively pronounce, in response to the proposed question: Affirmative, that is, that the marriage is null. * Thus we pronounce, ordering the Ordinaries of the places and the ministers of the tribunals to whom it pertains, to enforce this our definitive sentence, and against those who resist, to proceed according to the Sacred Canons and especially chapter 3, session 25, of the Council of Trent, using the execu-

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tive and coercive means that may be more appropriate and effective for the circumstances. Rome, in the seat of the Tribunal of the Holy Roman Rota, on the 14th of November, 1919. Ioannes Prior, Presiding. Aloysius Sincero. Frederick Cattani Amadori, L. * S. From the Chancery, 29th of November, 1919. Rev. T. Tani, Notary.

[*Latin ed. p. 61*]

In the Roman Rota, Section 61, Volume III, concerning the patronage of Alexandria, during the blessed reign of Pope Benedict XV, in the sixth year of his pontificate, on the 14th of November, 1919, the Most Reverend Fathers, Peter Rossetti, presiding, and John Prior and Maximus Massimi, auditors, in the case of Alexandria – Patronage, between Carolina of Lawrence Mignone, Aloisia of Buzzi Langhi, and their respective sons and grandsons, Joseph, Richard, and Francis Mignone, appellants, represented by their legitimate procurator, Angelo D'Alessandri, advocate, and Aristides Stortiglione, appellee, represented by his legitimate procurator, Hadrian Aloisi-Masella, advocate, rendered the following definitive judgment on appeal.

In the Cathedral Church of Alexandria, the Reverend Father Nicholas Stortiglione, a man of noble birth and canon, by his will of the 25th of September, 1476, founded and endowed with revenues two chaplaincies, reserving the active and passive patronage to his family. From each chaplaincy, by a decree issued on the 29th of August, 1583, by the Reverend Father Gualberto Grotto, a canonry was established under the title of the Blessed Virgin Mary, commonly known as "della Consolata." Those who were called patrons by the founder always presented candidates to the chaplaincies, and then to the canonry; but in the year 1767, when Jerome Stortiglione passed away from this life, and no other person was recognized as belonging to the Stortiglione family, this patronage seemed to have ceased, and then, for the first time, the right of patronage was exercised by his daughters and their descendants.

In the year 1911, due to the death of the priest John Baptist Barella, the aforementioned canonry became vacant; and at that time, two presentations were made for it: on the one hand, Carolina of Lawrence Mignone and Aloisia of Buzzi Langhi, sisters, and their respective sons and grandsons, Joseph, Richard, and Francis Mignone, presented the priest Dominic Olivero; on the other hand, Aristides Stortiglione, from the city of Fossano, believing that the patronage belonged to him, presented the priest Pius Ratti. Thereafter, the question arose as to whether this patronage belonged to them or rather to him, and consequently, whether the first or the second presentation should be admitted and approved. This question was first considered by the Diocesan Commission, then by the Sacred Congregation of the Council, and finally, at the mandate of the Supreme Pontiff, was brought before the Holy Office, and by a judgment of the Rota of the 14th

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of January, 1914, in favor of Aristides, the presentation made by him was approved. Those who were on the opposing side appealed from this judgment, and in the present session of the Rota, the cause is being considered to reach a final decision.

[*Latin ed. p. 62*]

62 Acta Apostolicae Sedis - Official Commentary, using the customary formula for doubt: Whether the total sentence of January 14, 1914, should be confirmed or overturned in this case. In short - It is established in law that questions concerning the nature of patronage are to be considered in relation to the foundations of the laws. Indeed, the founder has the right to freely establish the qualities of the patronage; thus, it is permissible for the founder, at the very beginning of the erection or foundation, to add any qualities, conditions, and laws that he deems fitting, even if they are contrary to common law, provided that these are possible, honest, and approved by the Bishop (chap. II, On Benefices and Dignities; chap. 23, On Patronage; De Fargua, Commentary on the individual canons on patronage, part II, canon I, 2, case V, n. 3, Rome, 1716, p. 8). Assuming the conditions are possible and honest, it matters little whether they are in conformity with common law or contrary to it (Cardinal De Luca, On Benefices, discourse 95, n. 10; Fagnanus, chap. VII, title 6, book I, n. 72; Rota, p. II, December 2, 194, n. 1, in Granaten - Cappellaniae, January 12, 1606; Sacred Congregation of the Council, in Nepeta, reported by Fagnano). Therefore, when the question is about patronage, it is important to know what the founder intended and what he actually established. Family patronage should not be confused with patronage by kinship; the former applies only to the founder's agnates, while the latter includes collateral relatives: "Family patronage is that which is reserved for one, or several families, or lineages, excluding relatives; while patronage by kinship is that which is reserved for one, or several categories of persons, without any distinction of lineage or kinship" (De Luca, On Patronage, Summa, n. 29; discourse 60, n. 30; cf. Berardi, Commentary on Church Law, vol. I, dissertation IV, chap. II). Therefore, Pitonius (On Controversies of Patronage, appendix 37, n. 10, vol. I, p. 187) states: "This patronage by kinship consists of two species: one, strictly speaking, and the other, broadly speaking. The first species is applied to family and lineage patronage, where those called are the agnates of the house, family, or marriage; in this case, it is not enough to be of the same blood, which is verified either by agnation or by cognation, but it is necessary to have agnatic blood and the surname of the house or family; the second species is applied to patronage simply by kinship, where those called are descendants, offspring, relatives, consanguineans, parents, or closer relatives; in this case, agnatic blood is not required, but all are included, whether by agnation or by cognation, including females and males descended from them." It should be noted that the term "family"

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can be understood in two ways: it can be effective or inclusive. The effective family includes only the agnates descended from the testator, or from the one whom he himself has constituted as the head or stem of such a family; the inclusive family includes all those descended from collateral agnates (De Luca, On Fideicommissa, discourse 50, n. 3; discourse 53, n. 13; Summa, n. 145, etc.). To determine in particular cases whether the patronage is family or by kinship, whether those called are members of the effective or inclusive family, is a question.

[*Latin ed. p. 63*]

The Roman Rota has ruled in 63 cases that the principle of *nuda factio* does not apply, and that the determination of the rights of patrons is left to the judgment of a prudent judge, after considering all relevant factors, according to the foundations of the law (Pitonius, *Allegationes*, 42, n. 5, *De Controversiis Patronatus*; De Luca, *De Iure Patronatu*, discourse 10, n. 78, *De Fideicommissis*, discourse 50, n. 7). Indeed, Nicholas Stortiglione, the founder, as evidenced by the aforementioned will, designated patrons as "Lord Philip Stortiglione and Lord Ruffum, his brother... and them, and any of their descendants, and the descendants of those descendants, ad infinitum, provided that they descend and proceed from the legitimate male line." However, in the event of the foreseen extinction of this male line, should that occur, the founder stipulated that the patrons should be "other relatives descended from the Stortimiglione family, as above." Therefore, the founder intended to establish a strictly familial and agnatic right of patronage; but with the condition that those first called should be those who constituted the effective family of the brothers Philip and Ruffum, descending from the legitimate male line; and if they were absent, those who belonged to the collateral family would succeed, excluding women; that is, all those who belonged to the agnatic lineage of the founder, as descendants, as above, from the male line. Not only is the meaning of the words "descendants as above" derived from the context, but it is also firmly confirmed by the fact that the founder, with regard to those called second, designated as patrons those who were relatives of the Stortiglione family; for when the founder calls the family by surname to the right of patronage, it is understood that he intended to call exclusively the agnatic line (De Luca, *De Iure Patronatu*, discourse 26, n. 8; Pitonius, *De Controversiis Patronatus*, *Allegationes*, 100, n. 129; Rota, in *Gingulana-Testamenti*, May 23, 1818; decision XV, n. 24, paragraph VII). This is also confirmed by secular practice, which is the queen of interpretations and which deserves to be considered above all, especially in ancient interpretations (De Luca, *De Iurispatr.*, discourse 60, n. 9). It is clear from the records of the Episcopal Curia of Alexandria (volume XIII, page 522) that, in the absence of male descendants of Philip and Ruffum, or in the year 1701, when the effective family of the first-called was extinct, only male agnates,

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or males of the collateral family of the founder, exercised the active right of patronage, excluding women (cf. *Summaria additiones* c. Sincero, page 40 and following; Conclusions of the Episcopal Commission, pages 3-4). Only in the year 1767, upon the death of Jerome Stortiglione, who was the last of the collateral family, were three of his daughters, and their descendants, admitted to the right of patronage; but not without protest from the ecclesiastical court of Alexandria; for the Fiscal Advocates, only once, maintaining the same meaning of the aforementioned words, wanted to uphold the exclusive right of agnates: "From what has been said," said the Fiscal Advocate De Stephani, "we gather that the founder intended only the calling of agnates; which is more clearly demonstrated by the substitution of patrons, in the absence of those whom he first designated. This is indeed true, so that if others were to survive from that family, even from Philip and

[*Latin ed. p. 64*]

64 Acta Apostolicae Sedis - Official Commentary: "not dependent, succeeding under the patronage of the Lady of Mariana" (Acta Curiae Episc. Alex., vol. XCyil, page 263). And the Fiscal Advocate Ansaldi wrote in his dissertation: "Therefore, if at the death of the Lady of Mariana, or, more accurately, of her 'father Jerome,' any male had survived from the Stortiglióne family, the right to be named would have belonged to 'him, not to the Lady of Mariana, because, if no males were called first, the right, by foundation, would pass to others of the Stortiglióne family" (Acta Cur. Episc. Alex., vol. CV, page 58). Nothing contradicts this interpretation of the words: "descending as above," the word "parentela" used in the will, which, by its very nature, is broader than family and includes both relatives and agnates (De Luca, De iurepatr., disc. 26, n. 7). For, as the same author points out (De praenim. disc. 18, n. 17): "nor can it be said that the word 'parentela' is entirely one word and necessarily signifies all those connected, because, depending on the presumed or otherwise proven will of the one disposing, to whom all words always yield, it can be restricted to only agnates" (cf. also De iurepatr., disc. 27, n. 8). And rightly so: for the substance of truth, whatever the wording or meaning of the words, always and without doubt prevails in matters of this kind (De Luca, De testam, disc. 21, n. 1; De fideicom., disc. 33, n. 8; disc. 53, n. 20; disc. 58, n. 6; disc. 141, n. 11). And what the testator's will was in this case is clearly evident from the words: that he wished to include agnates, both first and second, excluding women. Therefore, the patron who argued that the words "descend as above" referred to the line of Philip and Ruffinus, so that, if there were no male descendants from them, women would succeed, who were descended from them in the same line, is mistaken. If this hypothesis were accepted, the aforementioned words would be completely useless; for the pronoun "of" added to "parentela," namely, "of the parentela of the Stortilionibus," is used to indicate a blood relationship, and is sufficient in itself, so that

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these words need not be added to it. As stated above, these words limit the meaning of the word "parentela" to only those descending from agnates collateral to the Stortilionibus, that is, Philip and Ruffinus, and therefore only to the families descended from them. Furthermore, the same patron incorrectly asserts that, with this meaning of the aforementioned words, an injustice would be done to the women descended from Philip and Ruffinus; for the founder has full power to establish the laws that he wishes, and in this case, considering the foundation of the patronage of agnatic descent, the right of the women descended from them is not violated, so that they cannot complain of an injustice done to them. If, however, all agnates are lacking, it is debated whether the patronage also ceases, or whether it becomes hereditary and passes to the last heirs called. In this matter, the nature of the foundation must be considered. If the founder specifically called the agnates, so that the right of patronage pertains only to them, then, if they are lacking, it is extinguished, because the called agnatic relationship no longer exists; but if he called them simply or demonstratively, then, if they are lacking, it passes to the heirs, even those outside the family, by provision of the law, to which the provision of a man does not contradict. (Fagnanus, in cap. I, lib. III, De).

[*Latin ed. p. 65*]

S. Romana Rota, 65, paragraphs 23, 24, 35; Viviani, *Praxis iurispatris*, Book IV, Chapter II, paragraphs 14, 15; Pitonius, *De controversiis patronorum*, Supplement 11, paragraph 4; *Disputationes Ecclesiasticae*, Discourse 33; De Luca, *De iure patronato*, Discourse 60, paragraph 28; Rota, in Cremona, Jurisprudence, Decree 385, November 21, 1578, concerning Robus Nerio; and most recently, in Alexandria, Jurisprudence, March 15, 1909, concerning Sebastiano. In this case, the question is entirely useless if there are still agnatic relatives of the Stortiglione family; therefore, there is only one question to be resolved, and it must be determined whether Aristides Stortiglione belongs to the agnatic family, specifically the lineage contained within the Stortiglione family, namely Philip and Ruffinus, as mentioned in the will of the Lord Nicholas.

In fact, after examining the documents, it is clear that Aristides Stortiglione is truly related to the founder, since he descends through the male line from Augustine Stortiglione, who lived in the city of Fossano in the year 1605, and who belonged to the noble family of Nicholas's founder. Indeed, the father of Aristides was Joseph Joachim (proof of birth, January 1, 1864), who was born from Felice (proof of baptism, July 26, 1813), whose father was Joseph John Baptist (proof of his appointment to the office commonly called "Ricevitore," September 14, 1798), born from Lu Venale (Testament, 1748-51; and the procurator's mandate, November 19, 1796), who had as his father John Augustine (Testament, cited); this man was born from John Sebastian (proof of baptism, in the year 1664), son of

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Augustine (proof of baptism, December 3, 1631). Therefore, Aristides descends from Augustine through the male line, and he should undoubtedly be considered an agnate.

This conclusion was readily and willingly accepted by three experts, distinguished by their knowledge, in the matter at hand, and by their prudence, namely, the Reverend Fathers Marianus Ugolini, Angelus Melampo, and Aemilius Ranuzzi; for, having been legitimately requested by the first judges, they wrote: "From the documents in the case, it is evident that Captain Aristides Stortiglione belongs to the noble lineage of the Stortiglione family of Alexandria, founders of the Benefice," and, addressing the question connected with another, which will be discussed later, they wrote: "We now proceed to demonstrate our fourth and final assertion. From the documents, it can easily be seen that Aristides Stortiglione descends from Augustine," from which point they constructed a genealogical tree and concluded: "Therefore, Captain Aristides Stortiglione descends from Augustine, as we had to demonstrate. - Therefore, to the second question of the Most Reverend Lords: "If from the documents in the case," etc., "we must answer affirmatively."

This conclusion is not harmed by the observation made by the Reverend Father Vincentius Federici, Professor at the Roman University, who was chosen as an expert in the appeal trial, in his opinion, when he stated that the genealogical tree, which was before the eyes of the aforementioned experts, differed from the one compiled by the author Canefri, whose competent authority in this matter was even acknowledged by the experts themselves; for, in this, no mention is made of Augustine or of his ancestors or descendants, and therefore, the conclusion drawn from it lacks a juridical foundation.

[*Latin ed. p. 66*]

66 The Acts of the Apostolic See – a certified document preserved in the public municipal archive of Alexandria, which contains the origin of the disputed genealogical tree, and of which more will be said below – is an original document, contemporary with the fact in question, and therefore should prevail over a document compiled later by Canefri. But furthermore, the genealogical tree compiled by this author does not mention Ruffini Stortiglione, the brother of the founder himself; and therefore, as if it were completely devoid of all validity, it cannot be maintained that the value of the disputed genealogical tree should be measured and determined by it. To this is added that Canefri compiled his genealogical tree of the nobility residing in Alexandria; but the Stortiglione family, to which Augustine belonged, had been domiciled since the sixteenth century in the city of Fossano, in the region of Piedmont. Therefore, it is not surprising that Canefri did not mention it in his genealogical tree. However, the work compiled by Canefri rightly remains suspect. Therefore, noth-

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ing is deduced from it that would undermine the conclusion of previous experts, which therefore remains intact and concealed. Indeed, Aristides claims both the origin and the nobility from Augustine Stortiglione. Moreover, he deposited in the Acts a document dated September 28, 1605, issued by the Municipality of Alexandria to Augustine, from which he intended to prove that he was of the Stortiglione family and a relative of the founder. But it is doubtful whether such a deduction could truly be proven, and whether, for the purpose in question, it would be accepted in court; the first judges, expert men, sought an opinion on this matter, asking: "What historical value does the document of September 28, 1605 have in proving that 'Augustine Stortiglione, son of Giovanni Alberto, belongs to the family of the noble Stortiglione family of Alexandria, founder of the benefice'?" To this question, the three aforementioned experts replied: "The historical value that we can attribute to the document of 1605, as a testimony of the fact it attests, is of unquestionable reliability. And the general principles on which this reliability is especially based are demonstrated by historical criticism. We can therefore, with a tranquil mind, believe that it truly results from the documents that Augustine belongs to the noble Stortiglione family of Alexandria, founder of the benefice." Thus, the sentence favorable to Aristides arose. But in the higher court of appeal, a more thorough examination of the Acts was requested and granted, with the consequent judgment: for this purpose, Professor Vincent Federici was elected, who issued a completely opposite judgment. With this discrepancy in the opinions of the experts, it must be determined which opinion should be maintained. After careful consideration, the Reverend Fathers, the Auditors, having set aside the opinion of the more expert, adhered to the vote of the previous experts, with the following reasons: According to our law (lib. II Decret., title XXII, on evidence), an instrument, as is the case here, can be any writing made to assert or prove something. Some of these instruments are public, which provide full proof of what they contain, and this continues until the contrary is proven (as the Doctors teach, and it is gathered from chapters I and II of this work, and from Law 15 of the Code, of this work); others are private. A public instrument is called that.

[*Latin ed. p. 67*]

The Roman Rota, in its ruling 67, states that a document is considered a public writing if it was properly and lawfully executed by a public authority, or by a person recognized as such, such as a notary. Furthermore, even if not executed by a public authority, such instruments are considered public writings for the purpose of proof, provided they are extracted from a public archive or registry, and provided that they contain no defects that would suggest fraud, and are therefore deemed authentic (Pirhing, Book II, Title XXII, paragraphs 1-33; Reiffenstuel, ibid., paragraphs 141-157; Ferraris, B. G., § V., article "Scripturae," paragraph 14; Scaccia, De iudic,

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Book II, Chapter 11, paragraphs 756-757; De Luca, De iud., discourse 28, paragraph 23). Moreover, the document dated September 28, 1605, must be considered a public instrument. Augustine Stortiglione, from the city of Fossano, in the Piedmont region, requested that the authorities of the Municipality of Alexandria grant him a coat of arms: "Augustine Stortiglione, son of John Albert, desires to obtain from the 'Most Noble Lords of the arms and insignia, which are customarily borne by the Stortiglione family of this city,' a confirmation thereof, in accordance with the attached text; therefore, he humbly requests that the 'Most Noble Lords' grant him said confirmation in accordance with the attached text, and thus hopes for it." Attached to this petition was a document granting the coat of arms, which reads as follows: "We, the Prior and Deputies governing the city of Alexandria, and also we, the undersigned, belonging to the noble family of Stortiglione of said city, attest that, from a time of which there is no memory to the contrary, and always, the Stortiglione family has been admitted to the government of said city, both in the office of counselors, and in the number of the General Council, as well as among the Twelve Lords for public administration, and that those of the family have customarily borne the following arms and insignia, as described below: on the upper part, a field of azure or turquoise, representing a saw, as commonly called, with five teeth; and on the lower part, a white field with four teeth, with a helmet commonly called 'il cimiero,' with a white heron's beak from the head to the chest, and with the inscription in these words: 'Not by voice is it honored...' With these insignia, they have always used in public records, in churches, at funerals, and in private homes, as other noble families of said city use their arms, as shown in the following form and shields, namely: And of the same family were and are the noble Augustine Stortiglione, formerly of Albert, and his successor, John Albert, son of the aforementioned; Augustine's son, now residing for many years in the Piedmont region, for whose confirmation the present document is to be prepared with our seal, which we use in such matters, and to be signed by the undersigned notary and our registrar, as we command. Given in the palace of the aforementioned city of Alexandria, on September 28, in the year of Our Lord 1605." The notary, acting under this mandate, formally recorded Augustine's petition and the decision of the Municipal Deputies in writing: "1605,

[*Latin ed. p. 68*]

68 Acta Apostolicae Sedis - Official Commentary "of September 28th. - Read... the Signori Prior and Deputati having seen the aforementioned "memorial with the supplicant's request, and having been informed of the truth "contained in said request, which is attached here and read to said gentlemen, "they have ordered that, in the name of the city, the aforementioned request be made with the "notation or description of the weapon therein placed (Augustine Stortilione). Bapt "Ottellus

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Cancellarius signed." Therefore, in the Alexandriae Municipal Archive, there exists an authentic document; which states: a) the petition of Augustine Stortiglione; b) the attached minute intended for presentation to the Municipal orator; c) the request of the Notary or Chancellor; these three, taken together and united, constitute one thing, and are rightly considered as a public instrument, which gives full faith both in court and outside of it. For "an instrument... is understood... strictly, specially, and properly for any writing which gives faith to the matter it confirms, to the judge... whether it contains privileges, or a contract, or a final disposition, or something else; for "an instrument can be made on any matter, in which sense any writing made for the assertion or proof of something, IS CALLED "AN INSTRUMENT... and this is the proper meaning of the term "instrument" in this title" (Pirhing, Book II, Title 22, n. 1). If this minute, in the given hypothesis, were to be considered separately, the same conclusion would be maintained; since, when it is kept in the public Archive, it is considered as a public instrument, as far as its probative force is concerned. Pirhing (loc. cit., n. 1) adds to this: "It can be added a fifth case, in which a private writing fully "proves, even without any other support, namely, if it is produced from the Chancery, or "from a public Archive, in which only authentic writings are kept; "not "that such a writing, in itself, is public, as are those which are made by a public "Notary, but because it has the force of a public instrument, "both by reason "of the place, because such writings, or letters, are hidden in the Archive of the Curia, "and by reason of the person, because they are registered by a public and sworn Official, or minister, "to whom it is his duty, as a matter of course, to place only writings, or letters, which "deserve to be trusted, among the writings of the Archive, of which mention is "made in the Author." To this "in fine." Reiffenstuel (loc. cit., n. 151) also teaches the same thing, who, in response to the question: "In what ways are private writings authenticated "so that they give full faith?", answers: "5) this is extended to "another private writing when it has been faithfully kept in a public "Archive, that is, in a place where public writings are usually kept. Such a "writing, without any signature on the parts, and without witnesses, fully proves "by reason of the place in which it is authoritatively kept and found, as is "stated," etc. (cf. Ferraris, B. I. V., Scripturae, n. 145; Scaccia, De jud., Book II, chapter 1.1, n. 756-757). Federici held the contrary opinion: "I therefore believe - he wrote "with certainty of being able to affirm that, as far as the document "of 1605 is concerned, it cannot be invoked as the basis for any right "because we do not know that it has ever been reduced from the state of a minute.

[*Latin ed. p. 69*]

The Roman Tribunal, under the heading "regarding the original," does not approve of this opinion: because the arguments upon which it is based

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are entirely devoid of legal value. And indeed, the more learned opinion is founded on the following reasons: 1) The document in question lacks certain essential qualities, such as being a public instrument capable of establishing authenticity; for it is a simple private document, and not the document itself, nor a complete copy of the original document; 2) Before the original document was issued, following the custom of Alexandria, and in accordance with the Municipal Statutes of the year 1547, the writing prepared in the Chancery was inscribed on public tablets in the bell tower: in this case, this was not done, so the discussion of the issuance of a public document is futile; and 3) all the more so, because at least it should have been mentioned that the document is not found in the Register of the city of Alexandria, in which a similar document is found, "of noble origin," granted to the Ghilini family on August 30, 1572; therefore, 4) it is not certain that the original document was ever issued, and that it can establish authenticity. But all of these things, considered in the judicial records, do not favor the more learned opinion. Firstly, even if there is a substantial defect in the form of the document in question, this does not necessarily imply the imperfection of the document, which is excluded by the attached documents: "If the case presents - says De Luca (De luci., disc. 27, "n. 29) - that the requested document (namely, the original record) does not contain the 'essential words,' namely the year, month, day, witnesses, and the clause 'done,' etc., it does not always mean that there is an imperfection; because, depending on the nature of the fact, the annotation of those essential elements may sometimes be found in a previous instrument or act, when the circumstances of the fact suggest that this second act is 'consecutive to the previous one, or otherwise connected.'" But furthermore, it is wrongly asserted that the document in question lacks the essential public qualities of a public document; for in the instrument prepared by the public Notary, it is expressly written: "that which is attached is released." Therefore, the document and the Notary's instrument are one indivisible thing, and thus the simultaneous public authority of such a document must be considered in court. Moreover, the document in question is not a simple writing, but a "document by official action," or a document received in the records and signed by the competent authority, the Municipal Chancellor. The ordinary historical validity of such official documents is not denied: otherwise, the acts preserved in the Archive of the Briefs of the Pontiffs, which fill volumes 5074, would be completely useless to keep; for they consist mostly of petitions, testimonial letters, and documents of concessions, arranged in order, as can be seen in the Municipal Archive of Alexandria, regarding the documents of concessions made to Augustine Stortiglione. Nor is it relevant to say that it was the custom in Alexandria to transcribe documents on public tablets; for this is not proven. It is not proven by the Municipal Statutes of the year 1547, which, among the writings to be included on public tablets,

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do not mention transactions of this nature, at all.

[*Latin ed. p. 70*]

70 Acta Apostolicae Sedis - Official Commentary, concerning what Frederick states: "There are no writings remembered like that in the 'discussion.' Elsewhere, they do not exist, or at least are not known; no records are found that contain such a transcription. Indeed, in the year 1610, shortly after the aforementioned controversy was concluded, as Schierina notes, who is a renowned compiler of the annals of Alexandria, all the documents pertaining to the Republic of Alexandria were "confused and kept in no order in the city's archives." And in the year 1615, no less confusion prevailed: "One sees the confusion and the bad order in the writings and books of the city, 'due to the fact that neither an official archive was ever established, nor were the aforementioned books and writings ever reviewed.'" (Rivista di Storia Arte, Archeologia della provincia di Alessandria, series II, vol. 23, page 35). Furthermore, as Professor Federici emphasizes: "One of the registers of the Municipality of Alexandria has been preserved, and in it is found a certificate of nobility analogous to that which was requested from the Municipality by Augustine Stortiglione in 1605. I refer to the Codex which is called the 'Liber Crucis.' In the 'Liber Crucis,' therefore, is the certificate of nobility of a Ghilini... Therefore, if the document of 1605 gave rise to a true and proper document issued to the interested party, why was that document not registered in the 'Liber Crucis'?" And the reason is readily apparent. For, as was stated in the aforementioned passage in the Book, a document was recorded there, dated in the year 1572, thirty-three years before the certificate of nobility was granted to Augustine Stortiglione. Furthermore, the 'Liber Crucis' was not a collection of acts of the Municipality of Alexandria; but, as Professor Gasparolo testifies: "It was a collection of fascicles that were saved from fires, devastations, and even private depredations, and were bound together in a single Codex." Moreover, the certificate of nobility of the family Ghilini, which the 'Liber Crucis' refers to, was not an act of the Municipality of Alexandria, but of the College of Jurists of the City of Milan. Finally, the omission of the transcription in the 'Liber Crucis' can, according to Marzi, be explained by "a certain practice (in the Florentine Archives) whereby, for certain very important acts and writings, efforts were made to secure their inscription or transcription in collections of official documents of great authority...". This also explains the elaborate and solemn form in which the aforementioned certificate is issued. Therefore, the absence of a transcription of the document in the public records cannot be used to argue that the original document was not extended, or at least not issued. Since the document was issued officially, and was kept in a suitable place in the archives, along with other documents, as the numbered pages show, it is presumed that the original document was indeed issued; otherwise, there should have been some evidence of the

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rescission of that decree. But, moreover, it is more certain that the authentic document was indeed issued; for there are documents that confirm this. For there exists in the records a document released by the Royal Archive of Turin, from which it is inferred that Augustine Stortiglione presented such a certificate to delegates sent by Charles Emmanuel, Prince of Piedmont.

[*Latin ed. p. 71*]

The Secretariat of State, in document 71, examined the authenticity of privileges, coats of arms, etc., of all those who held a noble title within the jurisdiction of the Prince. This was done according to the law which stated, "No coat of arms or insignia obtained and used for 60 years shall be admitted, unless there is proof of a 'concession' or privilege granted in due form." A document, entitled "Record of Noble Coats of Arms," was compiled. It stated: "Mr. Giovanni Sebastiano Stortiglione of the City of Fossano, both in his own name and on behalf of his brothers, all legitimate and natural sons of the late Mr. Agostino Stortiglione, in order to satisfy [the requirements], provides testimony of the presentation and granting of arms to the late Mr. Agostino Stortiglione, their father, on March 6, 1614... and further presents the book of heraldry, which was compiled in accordance with the edict of 1613; on page 59, the aforementioned ancient coat of arms of their house and family is depicted... which coat of arms is an oval shield, edged and crenellated, with a band of azure and silver, a helmet in profile, ornamented, etc. The crest is a silver stork rising, with the motto "Not by voice is it cultivated." Therefore, it is clear from the document extracted from the State Archives of Turin, that in 1614, Augustine Stortiglione obtained from the Piedmontese Delegates recognition and approval of the aforementioned arms and insignia, which is the subject of the inquiry in the Alexandrian document, or rather, concerning the proceedings of this document. It is assumed that this document was transcribed from an authentic document given to Augustine, and that is why he was able to present it to the Piedmontese Delegates. Finally, from the aforementioned document, it is clear that in 1605, there was only one family of Stortigliones in Alexandria, an ancient and noble family, originating from that city, with the privilege of bearing the arms and insignia described in the document itself. Otherwise, Augustine's petition and the municipality's concession would be absurd. Augustine petitioned, "that he has true faith in the Most Reverend Lords regarding the arms and insignia that the family of the Stortigliones of this city customarily bears," and he considered it necessary to add something further to more specifically identify the family; which he certainly would have done, and did, if there were more than one family of Stortigliones. In the same way, the representatives of the city and those who were members of the Stortiglione family testified that "of the same family were and are the nobles, namely, Augustine Stortiglione, son of Albert..." If there were two distinct families of Stortigliones, with no family connection,

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both ancient, originating from the city, and with the privilege of bearing the same arms and insignia, it would not be possible to determine to which of them the speaker or the Stortiglione witnesses belonged. Therefore, Augustine Stortiglione, from the city of Fossano, belonged to the single noble family of the name of Stortiglione, originating from the city of Alexandria, to which Nicholas Stortiglione, the founder of the benefice, also belonged, and therefore was connected to him by kinship. Since Aristides Stortiglione descends from this Augustine through the male line, as has been proven by authentic documents above, it follows that...

[*Latin ed. p. 72*]

72 Acta Apostolicae Sedis - Official Commentary: It is established that Aristides is of the noble family of the founder of the Benefice, and is his kinsman, and consequently, the right of patronage pertains to him. The possession invoked by the appellants, which is alleged to be more than centenaria [one hundred years], cannot be of benefit to them, and therefore, acquisitive prescription against the present holder cannot be established. For, besides the fact that this possession was not peaceful, given the reservations of the Procurators of the Alexandrian Curia, it is the common opinion of jurists and canonists that prescription is not admitted in the law of patronage, whether familial or gentile, because patrons succeed by their own right and by a grant independent of the founder, and not by a right derived from others. Thus, De Luca (De Iurep., disc. 31, n. 16): "The negligence of predecessors in presenting [a case] was easily answered, so that it could indeed prejudice successors who were seeking a right by hereditary inheritance, but not those who come into the right of familial or gentile patronage by their own right, because just as the express act of alienation made by them cannot prejudice them, so much less can the tacit negligence, as in the case of Gratias S. R. R., decree 220, n. 26, p. II, Bec., (cf. also De lurep., disc. 35, n. 7, and elsewhere; Wernz, vol. II, p. II, n. 437; D'Annibale, III, n. 35; Rota, In Interamnen. Iurispatr. c. Priolo, 23 June 1659; in Bononien. Iurisp. c. Pre, 31 January 1695-22 April 1695). Having duly considered all of this in law and in fact, We, the undersigned Auditors sitting for the Tribunal, and with only God before our eyes, invoking the Name of Christ, decide, declare, and definitively sentence that the Rotal Sentence of 14 January 1914 is to be confirmed; and to the proposed question, We respond: Affirmatively with regard to the first part, Negatively with regard to the second part, and furthermore, We decree that the judicial expenses, including the costs of the sentence, are to be compensated between the parties, considering in particular the difficult nature of the question. Thus We pronounce, ordering the Ordinaries of the places and the ministers of the Tribunals to whom it pertains, to order the execution of this Our definitive sentence, and to proceed against those who resist, according to the norms of the Code of Canon Law, especially title XVII,

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book IV, using the executive and coercive means that are more effective and appropriate, according to the circumstances. Rome, in the seat of the Tribunal of the Sacred Roman Rota, on 14 November 1919.

Petrus Rossetti, Presiding.

Ioannes Prior.

Maximus Massimi.

L. S.

From the Chancery, on 5 January 1920.

Sac. T. Tani, Notary.

[*Latin ed. p. 73*]

8. The Roman Rota, 73, IV, CLAVAREN. SENTENCE OF EXECUTION. During the blessed reign of Pope Benedict XV, in the sixth year of his pontificate, on December 12, 1919, the Most Reverend and Most Learned Fathers, John Prior, Ponens, Aloysius Sincero, and Frederick Cattani-Amadori, Auditors, in the case of Clavaren-Sentence of Execution, between the parish priest Francis Rollino, represented by his lawful procurator, the advocate Angelo D'Alessandri, and the parish priest Anthony Bavestrello, represented by his lawful procurator, the advocate Christopher Astorri, rendered the following definitive sentence. By the sentence of the Rota of December 6, 1916, which became res judicata, the controversy was settled between Anthony Bavestrello, parish priest of St. Mary of Nozarego, the plaintiff, and Archpriest Francis Rollino, parish priest of St. Margaret of Liguria, the defendant, concerning the goods of a certain chaplaincy, founded by a certain John Stephen Costa through a donation inter vivos on April 24, 1733. He had called upon three lines of persons to successively exercise the active and passive right of patronage of the chaplaincy: first, namely, John Bernard Costa, the founder's brother, with his descendants; second, Gregory Roisecco, with his male descendants; and third, John James Banchero, a notary, also with male descendants. Finally, he wished that, after the extinction of all these lines, the active right of patronage of the chaplaincy would pass to the Rector for the time being of the Church of St. Margaret. The last patron was a certain canon, Joseph Roisecco, from the second family called by the founder, who died in 1913, and who had appointed his servant, Mary Campodonico, as his universal heir, who therefore succeeded in the ownership of the goods of the chaplaincy before the civil law. For such goods, which, by virtue of the Italian law of 1867 (article 1), after the suppression of all chaplaincies, both ecclesiastical and lay, had passed into the hands of the civil authority, were freed from the legal bond, according to the tenor of the same law (article 3) in 1870, and the right of patronage was assigned to them before the civil law, after the payment of 1298 lire by Pio Roisecco, Joseph's uncle, who administered the chaplaincy during the minority of his nephew from 1863

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to 1876. Mary Campodonico, a woman of devout conscience, entrusted the administration of the goods of the chaplaincy to Archpriest Rollino, to whom the deceased patron had entrusted the care of the chaplaincy while he was still alive. However, the parish priest of St. Mary of Nozarego, since none of the lines previously called to claim the right of patronage appeared, petitioned the Ordinary to grant him the chaplaincy, as the last one called by the pious founder, and he obtained victory in two degrees of judgment, first before the diocesan tribunal, and then before the Most Honorable Auditorium.

[*Latin ed. p. 74*]

74 Acta Apostolicae Sedis - Commentarium Officiale. The Auditors, having considered a question raised by the parties, regarding whether the assets of the Costa chaplaincy, held by the parish priest of Saint Margaret, should be transferred to the parish priest of Saint Mary of Nozarego, responded: "Affirmatively, that is, the assets of the Costa chaplaincy held by the parish priest of Saint Margaret are to be transferred to the parish priest of Saint Mary of Nozarego, according to the manner determined in this decree." The manner determined in the decree was as follows: "The assets of the Costa chaplaincy, after deducting necessary expenses, are to be transferred by the parish priest of Saint Margaret to the parish priest of Saint Mary of Nozarego, who must also ensure that all matters are completed by the heir, Maria Campo, who was designated in the last patron's will to administer the chaplaincy, so that everything required for such a transfer is fulfilled. The transfer of assets must be made with the accrued income, calculated from the date of the last patron's death...." "It is incumbent upon the Bishop, respecting the rights of the patron, to provide for the security of the pious foundation in the transfer of the chaplaincy assets, in accordance with current ecclesiastical laws." The Royal Judges ordered that this decree be sent for execution to the Curia of Clavarensi. In the execution of this decree, several points were disputed by the parties and decided by the tribunal, concerning "the necessary expenses to be deducted," by the parish priest of Saint Margaret of Aversa, who had filed an appeal with the Most Holy Order, namely: "1) The parish priest of Nozarego is exempt from reimbursing the release tax of the chaplaincy; 2) Regarding the inheritance tax on the Roisecco estate, it is the responsibility of the parish priest of Nozarego to report the transfer of usufruct of the chaplaincy, and Monsignor Rollino must be reimbursed for the tax he paid unjustly; 3) Monsignor Rollino is not entitled to deduct the income of the chaplaincy during the time it was in his possession." Therefore, the matter to be resolved is presented under the following question, submitted by the parties: Whether, and to what extent, expenses for the release and inheritance taxes, as well as for the celebration of Masses, should be deducted when accounting for the assets of the Costa chaplaincy.

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1. Regarding this threefold category of expenses, it is necessary to consider each separately, and first, the release of the assets from legal encumbrances. This release was effected in the year 1870, with the tax paid amounting to 1298 lire by Pio Roisecco, who had administered the assets of the chaplaincy from the year 1863 to the year 1876, at which time he returned the administration of the assets to his nephew, Joseph Roisecco, who claimed the right of patronage, and entered into an agreement with him regarding the matter. From the accounting presented in connection with the agreement, it is clear that, after calculating the income and all expenses of the chaplaincy, including the tax for the release of the assets, a debt of 669.84 lire remained, along with the accrued interest on that sum from August 10, 1870, to the date of the agreement in 1876, which was to be paid by the new administrator of the chaplaincy, Pio Roisecco. The accounting presented in connection with the agreement between the parties states: "This sum of six hundred sixty-nine and eighty-four lire, with the related legal interest from August 10, 1870, represents the debt that the cleric Joseph, son of the late Advocate Domenico Roisecco, owes to Pio Roisecco, arising from the administration held by the latter."

[*Latin ed. p. 75*]

The Roman Rota states that in the accounting, not only was the amount pertaining to the release of the property, which was paid to the pious foundation, included. From the aforementioned words: "the amount pertaining to the release of the property," and specifically from the meaning of the word "paid," the judgment of the executor indicates that the price for the release of the property had already been fully paid to the pious foundation before the composition with the Roisecco family. He states: "If one considers the value and meaning given to the verb 'to pay' in the context of accounting, which is precisely 'to compensate the creditor with money or other things that are already in one's possession and belong to the administration being liquidated,' it is clear that Canon Roisecco did not reimburse the tax himself; and therefore, the parish priest of Nozarego is released from any further reimbursement to the Roisecco estate."

However, from the presented course of events, it appears that the tax for the release of the property was combined with the ordinary expenses of the administration to form a single total amount of expenses, which amount exceeded all the revenues of the chapel. The measure of this excess represents a debt of 669 florins, with interest for approximately six years, to be paid by the administrator of the chapel upon relinquishing his office. This amount, indeed, constituted a portion of the tax for the release of the property paid on August 10, 1870, because, according to the terms of the agreement, it was to be repaid with interest from the date it was determined until the date of the agreement. Therefore, the word "paid" seems to signify, from the context, that the right of Pius Roisecco to receive reimbursement for

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the expenses incurred for the release of the property of the chapel was admitted and approved.

Whether this debt was actually paid by Canon Joseph Roisecco, or in what manner, the documents do not directly state. However, it is sufficiently clear from the presumption that the debt was paid by the new administrator of the chapel, because it was solemnly accepted by him in the act of the agreement, and there is no indication of any protest from Pius Roisecco regarding the denial or omission of the payment of the debt.

Similarly, or rather, with even stronger presumption, it is clear that the same debt was paid not from the administrator's own funds, but from the revenues of the chapel. The debt was not personal to Joseph Roisecco, but burdened the chapel, that is, a legal entity distinct from the person of the administrator, and the agreement was made with regard to the chapel, namely, to promote its existence; therefore, it was considered an extraordinary expense to be borne by the chapel, and indeed, from its revenues, not from the principal endowment. This would have been an alienation of assets of the pious foundation, which could not be done without the permission of the Apostolic See: but such permission, as noted in the judgment of the Rota, was not present in this case.

Furthermore, from the document of the agreement between Pius and Joseph Roisecco, it is clear that almost half of the tax for the release of the property (tassa di svincolo) was repaid before the beginning of the agreement itself, in the year 1876, during a period of six years, from the revenues of the chapel. For this tax, which was paid by Pius Roisecco in the year 1870, was included among the expenses of the administration of the chapel in the agreement being made, and the equivalent amount was...

[*Latin ed. p. 76*]

The official record of the Apostolic See amounted to 1298 florins; however, six years later, at the time of the settlement in 1876, after comparing all expenses and revenues, only 699 florins remained, which the chaplain was obligated to pay. In verifying these accounts, it was established that nearly half of the tax paid to the administrator had been reimbursed, based on the fact that the administrator had held assets of equivalent value from the chaplaincy during the preceding six-year period. No further proof of the debt's payment is required with respect to the administration of Joseph Roisecco. For, according to a general rule, frequently confirmed by the Sacred Roman Rota, the creditor is presumed to have been satisfied from the assets administered by the administrator, unless the contrary is proven by a detailed accounting. Indeed, assuming that the chaplaincy's revenues were approximately the same for the years following Joseph Roisecco's assumption of administration, which must be presumed unless proven otherwise, the entire debt would certainly have been extinguished ten years prior. However, Joseph Roisecco held and administered the chaplaincy's assets

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for not only ten, but thirty-six years. Therefore, even in the hypothetical case, which, however, is not established by the records, that he directly paid the debt from his own funds, he received adequate compensation from the chaplaincy's revenues, and he should be considered to have received it, according to the aforementioned rule. "The general rule," says the Rota, in *Cor. Cerro, Decano, Dec. 152, n. 8, par. 9, vol. I, Rec*, "is that in any administrator who administers the assets of his debtor, he is presumed to have been satisfied." This rule has been affirmed in numerous decisions by the Rota, as in, for example, *Dec. 166, n. 23, par. 10; Dec. 249, n. 32, par. 11; Dec. 168, n. 1, 2, 10, par. 14; Dec. 140, n. 6, par. 17, Rec*. Furthermore, another rule frequently enunciated by the Sacred Roman Rota prohibits considering Joseph Roisecco or his heirs as creditors of the chaplaincy's administration, namely, that the administrator cannot be considered either a creditor or a debtor of the administration before a detailed accounting is provided (*cf. Dec. 210, n. 2; Dec. 529, n. 5, par. 3; Dec. 65, n. 1, par. 4, vol. I, etc.; De Luca, De Credito, Disc. 41, n. 7; De Tutor, et Curator, n. 55). However, no accounting is presented for the thirty-six years during which the deceased patron administered the chaplaincy's assets. Therefore, in executing the Rota's judgment, the tax paid for the release of the chaplaincy's assets should not be included among the expenses to be deducted.

2. Regarding the inheritance tax, which Archpriest Rollino lists among the expenses to be rejected, the executor judge stated: "Concerning the inheritance tax of the Roisecco estate, it is the responsibility of the parish priest of Nozarego to declare the transfer of usufruct of the chaplaincy, and for Mons. Rollino to seek reimbursement for the tax paid unjustly at his own risk." The archpriest, in fact, paid the entire inheritance tax on the estate as if it were for external parties, for the chaplaincy's assets, without requesting a reduction due to the expenses of Masses attached to those same assets. The parish priest of Nozarego rightly pointed out to the executor judge that he had spoken erroneously about the transfer of usufruct of the assets in relation to civil authority, which does not recognize the existence of the chaplaincy as a legal entity, but...

[*Latin ed. p. 77*]

The Roman Rota, in case number 77, holds that, as the true owner of the assets of a pious foundation, the one who has been freed from the obligation to pay taxes on those assets, and therefore, the ownership, and not merely the usufruct, of the assets passes to his heir. This authority indeed transfers the assets to the heir along with the attached obligations, to be fulfilled by him "as and to the extent required by law"; and spiritual obligations, such as those pertaining to Masses, are not excluded. However, the jurisprudence of the civil forum shows that not all such obligations are treated alike; some, for example, the obligation to celebrate a certain number of Masses in a specific chapel, on designated days and hours, can

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be enforced through legal action by those who have an interest, while the satisfaction of others remains a matter of conscience for the owner of the assets. Rivarolo notes (*Il governo della parrocchia*, 3rd ed., p. 296): "We are dealing with obligations that 'have only in view the spiritual benefit of the founder or of other persons designated by him, such as the obligation to celebrate a certain number of Masses 'for the repose of his soul, and of his relatives, without specifying a church, altar, day, or hour, and then, since no one has an interest in the fulfillment of that obligation (except perhaps the heirs of the founder), it would take on the character of a pure and simple obligation of conscience, which escapes all legal proceedings.'" Since the obligations pertaining to Masses in our case are of this nature, the Reverend Auditors seriously doubted whether the Tax Office, which usually takes into account the obligations that burden the inheritance when determining the inheritance tax, would grant a reduction in the tax, when dealing with a mere obligation of conscience. However, given this doubt, the archpriest Rollino cannot be accused of negligence that would give rise to an obligation to make restitution, for the entire inheritance tax has been paid. Therefore, the expenses for the tax paid are deducted. Nevertheless, since there appears to be no possibility of a complete remission of any tax, the parish priest Rollino should take care to ensure that the heir of the deceased patron requests a partial restitution of the tax from the Tax Office, corresponding to the obligations of the Chapel; and if this is obtained, the sum restored must be given to the parish priest of Nozarego. 3. As for the expenses incurred for the obligations of the Chapel, or for the Masses celebrated by the parish priest Rollino, the judgment of the executor judge denies that these should be deducted, stating: "It is not admitted to Mons. Rollino the deduction for the fulfillment of the Chapel obligations during the time that it was in his hands." And the reason given is: "But even if he had fulfilled the obligation of the Chapel, it is clear that he did so illegitimately, since in a timely and legal manner, the rights he claimed on the Chapel were contested to him." However, the reason given is not valid; although it is now established by a final judgment that the parish priest Rollino had no right to the patronage of the chapel, nevertheless he was the actual possessor of its assets, and not even illegitimately, even after the lawsuit, by virtue of the office entrusted to him by the deceased patron and the assets that were delivered to him by the same heir, until the obligation was imposed on the parish priest of Nozarego to deliver the assets of the chapel, as notified to him by the final judgment. The possessor of disputed assets, even during a lawsuit,

[*Latin ed. p. 78*]

78 Acta Apostolicae Sedis - Commentarium Officiale. He is bound to prudently administer it, and therefore, unless the judge orders otherwise, he must pay the necessary expenses and fulfill the obligations attached to

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it, which do not admit of delay. Indeed, among these obligations are to be counted the offerings for Masses, which must be celebrated regularly within the year, and to whose timely celebration the Church has always attended in its law (cf. canons 835, 841, 844 of the Code of Canon Law). However, the administrator is not entitled to use the fruits of the benefice for his own purposes, but only to receive the stipend relative to the Mass. Thus, also, the parish priest of Nozarego benefits, since he is relieved of the burden of celebrating the Masses, which he otherwise would have had to celebrate or arrange to be celebrated. For the proof of the fulfillment of such obligations, it is sufficient for the priest, with good morals, to declare in writing that he has celebrated the Masses received, indicating the days of celebration. In truth, there is no categorical declaration in the records that the archpriest Rollino actually celebrated the Masses, but only that he received the stipend for the celebration of Masses. Therefore, he must present to the executing judge a written declaration of the Masses celebrated by him, before the final judgment is notified to him, indicating the days of celebration; with this done, the relative stipends for such Masses must be included among the expenses to be deducted from the fruits of the chaplaincy. With all of the above duly carried out in law and in fact, We, the undersigned Auditors sitting for the tribunal and having only God before our eyes, invoking the Name of Christ, declare and pronounce our judgment, answering the proposed question: Firstly; that the expenses for the release of the goods of the chaplaincy are not to be deducted; secondly: that the expenses for the inheritance tax paid are to be deducted, but with the obligation remaining with the archpriest Bollino to ensure that Maria Campodonico, within a reasonable time, requests from Finco the sum corresponding to the burdens with which the chaplaincy is burdened, which sum, if obtained, must be delivered to the parish priest of Nozarego; thirdly, finally: that the expenses for the celebration of Masses are to be deducted according to the manner determined in the judgment. Furthermore, We decree that the judicial expenses are to be compensated between the parties. Thus We pronounce, ordering the Ordinaries of the places and the officials of the tribunals to whom it pertains, to order the execution of this Our definitive judgment, and against those who resist, to proceed according to the norms of the Holy Canons, especially chapter 3, session XXV, De ref., of the Council of Trent, using the executive and coercive means that are more appropriate and effective for the circumstances. Rome, in the seat of the Tribunal of the Holy Roman Rota, on December 12, 1919. L. Ioannes Prior, Presiding. Aloysius Sincero. Frederick Cattani-Amadori. From the Chancery, on January 9, 1920. Sac. T. Tani, Notary.

[*Latin ed. p. 79*]

S. Romana Rota 79 v ●● LONDON. OF DEFAMATION AND PENALTIES. Under the blessed reign of Benedict XV, in the sixth year of his Pon-

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tificate, on the 15th of June, 1920, the Most Reverend and Learned Fathers Aloysius Sincero, Ponens, Frederick Cattani-Amadori, and Julius Grazioli, Auditors of Tournon, in the Cause of London, concerning Defamation and Penalties, between the priests J. A. Loiselle, Peter L'Hereux, P. Langlois, and N. D. St. Cyr, for whom his heir is the plaintiff, and the Most Reverend Monsignor M. F. Fallón, the Ordinary of London, who intervened and argued in the cause, rendered this final judgment. While a cause concerning the division of the parish of Notre-Dame du Lac, in the town of Walkerville, in the diocese of London, was pending before our Sacred Order, the Most Reverend Monsignor M. F. Fallón, the local Ordinary, testified to the Tribunal concerning the pastor of that parish: "The Reverend L. A. Beaudoin is a 'priest who causes trouble.' For almost two years, he has done everything to intrigue and to obstruct the work of his Bishop, both in the parish and in other parts of the diocese of London. He is not competent to exercise the ministry for English-speaking Catholics; many have lost the faith, and there is grave danger that others will lose it. His invariable conduct consists in attempting, publicly and privately, to prevent the rise of opposition from certain classes of the population, and to thwart decisions that do not satisfy him personally." These matters, although entirely irrelevant to the cause of the division of the parish, of which we were considering, were not to be included in the records. Having been informed of these matters, the pastor, Beaudoin, obtained a certain declaration from some of his fellow priests, in which there were many things in his defense; however, these contained offenses against the Ordinary: "During his long ministry, the only episcopal direction to which Abbé Beaudoin has opposed himself is that of Mgr. Fallón, the current Bishop, who forbade the teaching of French to the children of Canadian-French parents and the preaching in French to Catholics of that nationality." This declaration, being entirely irrelevant to the cause and biting in its attack on the Ordinary, was not to be admitted into the records, and all the more so, especially after the protests of the Ordinary, should have been removed from the records ex officio. Since this was not done, this declaration provided a cause, or pretext, for the present lengthy and complicated action. For, the local Ordinary first paternally warned the signatories of the declaration to explain, or prove, or retract it; but since they refused, he brought the matter before the Tribunal.

[*Latin ed. p. 80*]

Acta Apostolicae Sedis - The Official Commentary ordered that eighty of them be summoned and then subjected to various penalties. However, when some of these priests obtained a commission from the Supreme Pontiff so that their case might be brought before our Sacred Order, the following points were agreed upon by the parties: 1) Whether the objections to competence that had been legitimately rejected by the London Court were valid in this case. 2) Whether the penalties imposed by the Bishop in

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this case were unjust. 3) Whether it could be proven that the Bishop had defamed the complainants, so that there would be grounds for compensation in this case. 4) Whether it could be proven that the complainants had defamed the Bishop, so that there would be grounds for compensation in this case. 5) Whether it could be proven that there were acts of vengeance on the part of the Bishop of London, dated April 9, 1915, so that there would be grounds for absolution and compensation for damages. 6) Whether the expulsion of the priest St. Cyr from the parish and from the Diocese of London was justified in this case. At the end - Of the parties, only the priests Loiselle, L'Hereux, Langlois, and the heir of Fr. St. Cyr remained in the case. Therefore, the priests Loiselle, L'Hereux, and St. Cyr, having been summoned to court, raised the following objections, almost in the same words: "I refuse," (said Fr. Loiselle) "categorically to justify the testimony that I gave in favor of the Abbé Beaudoin in the case currently before the Holy Roman Court, until a judgment is pronounced by this Tribunal in said case. Furthermore, I absolutely reject the competence of the Tribunal before which I have the honor to appear at this moment, and I will only consent to answer before a judge superior to my Ordinary and his representatives." With these objections raised, they left the courtroom, disregarding the judge's warnings to remain. Furthermore, these declarations contain two objections: one real, due to the connection of the action with the case being heard before the Sacred Roman Court, and the other personal, due to the incompetence of the Tribunal of the London Court, due to a lack of jurisdiction. "I would only consent to answer before a judge superior to my Ordinary and his representatives." Both of these objections were legitimately rejected by the Tribunal of the London Court, the first because the case being heard before the London Court had no connection whatsoever with the declaration that the Ordinary considered injurious, nor with the case of the division of the parish commonly known as Notre-Dame du Lac, which was pending before the Sacred Roman Court; and the second because it is the duty of the judge to determine whether he has jurisdiction (Schmalzgrueber, title I, On Judgments, book II, Decree n. 19; Bouix, On Judgments, paragraph 1, section IV, § 2); and since the case concerned the proof of a written declaration against the Ordinary, the London Court was certainly competent. On the contrary, Fr. Langlois clearly and distinctly proposed two objections: one of incompetence and the other of suspicion. Furthermore, the first objection of incompetence of the London Court was legitimately rejected, because it had not yet legitimately received the Commission.

[*Latin ed. p. 81*]

The Roman Rota decided that one appeal was valid, having been signed by the Supreme Pontiff; the other, however, was deemed invalid, because, although the exception of suspicion was not openly frivolous, in this case,

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it was for the arbitrators to determine, according to canons 41 and 61, title XXVII, book II of the Decretals. That the exception of suspicion, in this case, was not openly frivolous, is evident not only from the special relationship of the judge to the recusant party (arg., Schmalzgr., part. III, title XXVIII, no. 137; Bouix, De iudiciis, vol. II, section VIII; questions 4 and 5), but especially from the nature of the cause and its particular circumstances, particularly because the Ordinary, instead of ensuring that the action was promoted by the Public Prosecutor, preferred to act himself, personally attending the sessions of the tribunal, and the parties also acted in accordance with the Ordinaries' decree, ordering that those summoned be cited: "This is to order you in virtue of the diocesan authority entrusted to us," etc. Therefore, the exceptions of incompetence raised by the priests Loiselle, L'Hereux, and Langlois were legitimately rejected by the London court; however, the exception of suspicion raised by the priest Langlois was unjustly rejected.

2. Regarding the penalty imposed on the priest Loiselle, he was declared contumacious and "deemed capable of receiving any penalty deemed appropriate for the case" by his own Bishop. Therefore, he was justly suspended by his Ordinary. Furthermore, shortly thereafter, he was released from the penalty of suspension, after he retracted the accusations made against the Ordinary in this declaration: "I, J. A. Loiselle, declare that in signing this declaration, I never intended to accuse my Bishop of having forbidden the teaching of the French language to Canadian children and the preaching in French to Catholics of that nationality."

The priest L'Hereux, however, was not declared contumacious by the London court, although he had disregarded the judge's warning and left the tribunal; and he was granted a period of ten days to repent, according to the sentence: "This Court... condemns the Reverend Father L'Hereux, present, to submit to the Plaintiff by declaring in writing, within ten days from the publication of this judgment, his inability to prove the accusations made, his regret, and his apologies to the Bishop and the Court for the contempt shown towards the diocesan tribunal." However, the Ordinary suspended him on the very day the sentence was pronounced, for two reasons. Therefore, because the priest L'Hereux could still appeal or execute the sentence, and because the Ordinary, as a party in the case, was obliged to observe the sentence, the penalty imposed on the priest L'Hereux was unjust, at least in the manner in which it was imposed, because it was untimely. However, the priest L'Hereux himself seems to have recognized that it was not unjust in substance, because he later retracted the accusations he had made, and consequently, he was released from the penalty of suspension. The priest Langlois was not penalized; regarding the priest St. Cyr, more will be said below.

Therefore, the penalty imposed by the Bishop on the priest Loiselle was just; the penalty imposed on the priest L'Hereux was unjust in the manner

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in which it was imposed.

ACTA, vol. XIII, no. 3. - 1-2-921. 6

[*Latin ed. p. 82*]

Acta Apostolicae Sedis - Commentarium Officiale, Ad 3. - Patronus contendit quod sacerdotes Loiselle et L'Hereux diffamati sunt a Episcopo, primo quidem quia suspensio, in eos irrogata, factum est, ex quo illorum existimationi vulnus, idque maximum inflictum est. Verum suspensio in sacerdotem Loiselle undequaque iusta fuit, suspensio vero in sacerdotem L'Hereux dici nequit quoad substantiam iniusta; quaevis igitur diffamatio cessat, et supervacanea est quaelibet inquisitio circa divulgationem suspensionis et animum Episcopi. Sacerdotem Langlois fuisse diffamatum item Patronus affirmat, quia, quamvis Episcopus eum non suspenderat, tamen, exceptione posthabita, quam legitime moverat, in iudicium vocare iussit et iniqua sententia damnari. At hic non agitur de diffamatione patrata a iudice per iniquam sententiam, contra quam ceteroquin sacerdoti Langlois praesto erant iuris remedia; sed de diffamatione perpetrata ab Episcopo. Episcopus quidem petiit "ut Tribunal Diocesano di citare, per mezzo dei suoi ufficiali, il detto convenuto e di obbligarlo a provare le accuse fatte." At in his diffamationem contineri tam absurdum est, ut refutatione non indigeat. Nulla igitur diffamatio realis ex parte Episcopi, sed nec ulla intercessit diffamatio verbalis. Nam Episcopus vel tantum animadvertit in declarationem ut in mendacium et calumniam: "il dénonça comme un mensonge et une calomnie des 'curés canadiens français, l'affirmation qu'il s'était opposé au français'," ut refert Henricus Bachard, in quo nulla diffamatio consistit; vel si animadvertit in sacerdotes tamquam mendaces: "Disant qu'ils étaient menteurs, mentionnant Mgr L'Hereux et Loiselle qu'il avait suspendus," ut refert Paulus Morand, id facit post iustas iudicis sententias, quibus probatis diffamatio et iniuria cessat (D'Annibale, il, n. 20), nec deerat iusta causa ut sese defenderet et consideret suae existimationi (D'Annibale, ib.; S. Rota, c. Lega, Diffamationis, 12 decembris 1910; n. 6 et 11, etc.).

Ad 4. - Quoad declarationem signatam a sacerdotibus, eam, in se et obiective speciatam, continere iniuriam et delractionem gravem in loci Ordinarium, qua talem, evidens est. Non enim tantum iniquum esset ex parte Episcopi veluti persequi, in eorum lingua catholicos franco-canadenses de religione in Canada optime méritos, sed cum Episcopi sit pacem et concordiam servare in grege sibi a Deo concredito, ab religione officii declinasset, si ita in suo munere episcopali Reverendissimus Fallon se gessisset (direction episcopale), ut prohiberet, doceret in lingua gallica filios parentum franco-canadensium, et praediceret in lingua gallica catholicis eiusdem nationis, pariterque violasset monita et comminuisset instructiones super hac maximi momenti re constanter editas a Sancta Sede, praesertim vero a Pio X per litteras 10 iulii 1911 ad Archiepiscopos et Episcopos

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canadenses; "Itaque primum volumus prudenter vos quidem, sed perseveranter, detis operam, ut quaecumque etiam nunc insident sententiarum discrepantiae inter catholicos propter generis et linguae discrimen, eae funditus tollantur." Porro declaratio signata a sacerdotibus...

[*Latin ed. p. 83*]

The Roman Rota, in its judgment, found that the London Ordinary was not hindering, but rather fostering, such divisions and discord, which would certainly be blameworthy in a Bishop. Furthermore, the appellants not only failed to prove the truth of the assertion contained in the declaration, namely that Bishop Fallón, through his pastoral direction, had forbidden the teaching of the French language to the children of Franco-Canadian parents, and had prohibited preaching in the French language to Catholics of that nation; rather, from the proceedings, and from the witnesses presented by the appellants themselves, and from the documents presented by them, it is clearly evident that the declaration in question is false and entirely alien from the truth. Moreover, it is difficult to prove the assertion, as the very advocate for the plaintiff demonstrates, as he twists and circumvents the issue. "If I have shown," he says, "that the Bishop intended to suppress bilingual schools, then I have openly shown that he intended to prevent the French language from being used in schools any longer." But it is one thing to say that the Bishop intended to correct a method that was prevalent in schools, to change or amend the laws by which schools in his province are governed, and quite another to say that the Bishop, with these things and laws remaining as they are, forbade the teaching of the French language to the children of Franco-Canadian parents; moreover, the declaration speaks of a "pastoral direction... forbidding the teaching." And if the Prelate Fallón did not favor schools, as they say, that were bilingual, it certainly did not proceed from a will alien to the French language, but rather from a sincere conviction, albeit one not free from error, that this method was futile, ineffective, and even harmful to the children of Franco-Canadian parents. And that this was the intention of the Prelate Fallón is so clearly established in the proceedings that it can no longer be doubted. "I believe," says Mr. J. O. Rhéanme, "that in the mouth of 'Mgr Fallón,' this expression ('I am only against bilingual schools') means 'that he is against bilingual education as a system, but that he is not against the teaching of French.'" And Mr. W. J. Hanna declared under oath before the Judge: "My Bishop Fallón brought up the matter of the school question, giving us to understand that this question was very important to him. He said that he had reasons to fear that the children of his diocese, of whom he felt responsible, were not receiving an education equal to that generally acquired in public schools, that they were not sufficiently prepared to compete with others. He gave two or three arguments in support of this assertion, which came to his

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mind. This deficiency, he said, is particularly noticeable, and perhaps uniquely, in those boys who appear to be of French parentage, and who attend schools where French is taught, not excluding English completely. But English is not taught adequately. This, he said, is a great disadvantage for the boys.... The impression I received from the interview with Bishop Fallón was his great concern for those under his jurisdiction."

[*Latin ed. p. 84*]

84 Acta Apostolicae Sedis - Official Commentary: "with care, and that it was not a matter of excluding French from the schools. There was 'no declaration made by Bishop Fallón, during that interview, that 'could be interpreted as meaning that he was hostile to the French, or in particular to the French language in the schools. He merely insisted on the indispensable duty of the school to provide effective English instruction, necessary for the future well-being of the students. Moreover, he added, 'you can teach French or any other language, all the better...' The purpose of the studies in such schools (bilingual schools), he said, was not what he wished to see, for the sake of justice towards the students. He mentioned the students who move from bilingual schools to higher education, and a certain report he had received on this matter, and continued to say that his concern was to prepare the young people for the Church, but that he could not hope for success if the effectiveness of the school was not high.' And further questioned by the prosecutor, 'Is it true that a person opposed to bilingual schools is necessarily opposed to the teaching of French?', he openly denied it. If, indeed, certain Sisters had refrained from teaching the French language in schools for some time, this is by no means attributable to the order or advice of Bishop Fallón, but only to a misunderstanding by the Mistress of the Sisters. 'The teaching of French was suspended due to a misunderstanding,' so said Sister Angela, Superior of the Congregation of Saint Joseph. And Sister Vincentia: '... I, personally, believed that the Mother General had erred in what she reported to me as the desire of Monsignor Fallón.' It cannot be said that, with the patron of the proceedings, the Bishop, having seen that the prohibition was not legitimate, changed his mind. For, as Sister Mary of the Congregation of Saint Joseph testifies: 'He (the Bishop) came to Belle Rivière, to our Monastery, for the Confirmation around October 1st... His Excellency did not know until then that the teaching of the French language had been suspended. He discovered this during his visit to our Monastery. He was astonished and even upset to learn of this suspension. He asked me: 'Who gave you the order to suspend the teaching of French?' And I replied: 'Mother Angela.' And he said to me: 'Who ordered Mother Angela to do this?' And I said: 'It must have been Your Excellency, the Mother said so.' 'Do you think I would be so foolish as to go against the regulations of the Department of Education?' And Sister Irene of the same Congregation: 'The Bishop visited the school

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and was very surprised to note the lack of teaching of French and asked for the reason. I told him that Mother Angela had given me this instruction. His Excellency was very surprised and upset, and categorically told me that he had never said such things.' And therefore, the plaintiffs were unable to prove the second part of the declaration, namely that Bishop Fallón, through his episcopal governance, had prohibited sermons from being given in the French language to Catholics of the same nation. In which he demonstrated..."

[*Latin ed. p. 85*]

The Roman Rota, in case number 85, is burdened by no less ambiguity, or by a seemingly equal presentation of arguments. The advocate for the plaintiffs states: "In this matter, it appears to me that every point is open to doubt, if I were to prove that the faithful of the Gallic nation have frequently and repeatedly requested the Bishop, but in vain, to allow sermons to be given in the Gallic language within the Church." However, there is a difference between the Bishop not granting a request made of him, and between the Bishop entirely prohibiting sermons from being given in the Gallic language for Gallic Catholics: "The episcopal directive... prohibits... preaching in French to the 'Catholics of this nationality'." Furthermore, it is not sufficient, for in the petition presented to the Prelate, it was not requested that permission be granted to preach in the Gallic language, but rather that more sermons be given in the Gallic language, and this is evident from the very witnesses presented by the advocate for the plaintiffs: "We addressed a request 'to Mgr Fallón, in which the Canadian-French mothers requested 'more French in the church'." And William Adam: "I signed a petition 'addressed to Mgr Fallón: we requested more French for our children 'at the 9 o'clock Mass'." What the Prelate Fallón responded, the witness himself testifies: "You will never have more French 'than you currently have'." Therefore, even if the facts are as the advocate for the plaintiffs contends, the falsity of the declaration on this point is already sufficiently apparent. On the contrary, from the records, it is clear that nothing has changed regarding the use of the Gallic language in the churches of the Londonensis diocese after the arrival of Bishop Fallón. Regarding this matter, Rosolia Langlois, from the parish of St. Alphonse, in Windsor, testifies: "In general, there has been no change for years. What was done 'in the time of Mgr Meunier, is still done now'." And Gilbert Hebert, of the same parish: "There has been no change since the time of Mgr Meunier." The same is testified by Christina Ménard, Dominic Gourd, Euclides Jacques, etc., from the parish of the Immaculate Conception of the Blessed Virgin Mary. And from the testimonies of the pastors, as many as have been heard, it is evident that each pastor has been free in his parish to use either the English or the Gallic language in performing the sacred functions, as it seemed most opportune to each pastor, considering the needs of the faithful. To the question: "Re-

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garding the language used in your 'parochial administration, has it always been left to your discretion, to your judgment, and to your conscience?", Father James Coté, pastor of the Church of the Blessed Virgin Mary, in Sandwick, responded: "Yes, always to the discretion of the priests of the parish. We have always followed 'the same system since the Basilians took care of the parish 'in 1870'." Father Hubert Nelson, pastor of the Church of the Immaculate Conception, in Windsor, responded: "Within the bounds of reasonableness, it has been left to 'my discretion and judgment'," and Father Charles Laliberté, pastor of St. Joachim, responded: "Yes, always, I have a completely French parish, and I have been 'left entirely free regarding the use of languages'." Furthermore, these same pastors most clearly affirmed that no one has ever been forbidden by the Prelate Fallón to use the Gallic language in the sacred sermons, so that...

[*Latin ed. p. 86*]

Acta Apostolicae Sedis - Commentarium Officiale 86, the falsity of the declaration concerning this matter is increasingly confirmed. For, when asked whether they had ever been prevented "from preaching in French," whether they knew if anyone "had experienced a similar impediment," whether "it is possible that such an impediment was imposed," or whether they had any knowledge of the matter, the Reverend Coté, pastor of the church of the Assumption, ten years ago, replied: "No, I do not know of anyone who has received a similar impediment. No general prohibition could have been given in this section of the diocese without my knowledge, and if there had been a prohibition in particular cases, I believe I would have known about it." This is also confirmed by the pastors Robert, Semande, Brady, Downey, Parent, Laliberté, Brisson, Aylward, Pinsonneault, Blair, etc. Furthermore, it appears from the records that Bishop Fallón, unlike his predecessors, gave an address in French during his consecration, although his predecessors had never used the French language on that occasion. In the address given to the clergy, he declared, "that he, among those preparing for the priesthood, possessed a perfect knowledge of both languages, French and English," and moreover, the Bishop himself, according to necessities and opportunities, has used the French language in preaching the Word of God and in administering the sacraments, as testified by the pastors Robert, Semande, Emery, Downey, Parent, Brisson, Pinsonneault, etc. Therefore, the declaration signed by the accusers is, in itself and objectively, damaging to the reputation and esteem of Bishop Fallón, and the accusers do not adequately defend themselves by appealing to the truth, to which they claim to adhere. However, the crime of defamation consists of two elements: material and intentional, namely, the act itself and the intent to injure, and the Bishop's advocate admits that the essential element is the intentional element, or the intent to defame, to damage the reputation of another, so that if this is absent, the crime is completely excused. Indeed,

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this second element, namely, the malicious intent and the desire to injure, is lacking in this case. Firstly, the accusers were motivated by the desire to refute and defend Father Beaudoin, who had been unjustly condemned by the Ordinary before the Sacred Roman Rota. Secondly, the declaration in question was sent to the Sacred Roman Rota; therefore, the declaration was more intended to inform the judge than to damage the reputation of the Ordinary. The machinations and conspiracies, or the dissemination of the declaration, etc., which the Ordinary's advocate alleges, either tended to the fact that the declaration was sent to the Sacred Roman Rota, or are not sufficiently confirmed by the records. Furthermore, since the declaration in question, which is the origin of this cause, is objectively damaging to the reputation of Bishop Fallón, and contains false or at least highly dubious assertions, it must be removed from the records of the cause in London. August 5, 1914. Question: Does it appear that there were attempts to influence the judgment rendered by the Bishop of London? April 9, 1915, so that there may be grounds for purgation and compensation for damages, it cannot be considered, given the contested judgment, under the following conditions.

[*Latin ed. p. 87*]

The Roman Rota, on the 8th of April, 1915, ruled against the Reverend Langlois, but this ruling pertains only to the action taken on the following day, the 9th of April, by the Bishop concerning the transmission of that judgment. Furthermore, since the Bishop had not yet legitimately received notification that the pontifical commission had been signed, as evidenced by his letters to the Reverend Dean William Sebastiani, dated the 22nd of April, he took no action.

Regarding points 6 and 7: These two questions concern the case of the Reverend St. Cyr, who, like the priests Loiselle and L'Hereux, was invited by the Bishop to approve a declaration which he had signed; when he refused, he was also summoned in May of 1914 before the official in London. And, after the declaration was made, he was declared contumacious by the judgment of the 10th of June, and condemned: "to present to the plaintiff (namely, the Ordinary), within ten days from the publication of this judgment, a written retraction and an apology for the calumnies which he had spread against the plaintiff."

Since the Ordinary repeatedly, on the 18th of May and the 10th of July, warned the Reverend St. Cyr, but in vain, and believing that he was not incardinated in the diocese of London, he informed him "that he no longer needed his services in the diocese of London."

Furthermore, the Reverend St. Cyr was a parish priest in the place of Stony Point; but the question of his removal from the parish cannot be raised, since the parish was removable, and there were just and serious reasons for removing him, as is evident from the above. As for the expul-

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sion from the diocese, the incardination of the Reverend St. Cyr must be assessed according to the old law prior to the decree *A primis*, since from the year 1912 he left his own Nicoletan diocese and entered the diocese of London. Indeed, from the records, it is not clear that the Ordinary of London intended to incardinate the Reverend St. Cyr; for the assertion of the Reverend St. Cyr is gratuitous and is not confirmed by any document. The parish which he governed was removable; and his affiliation with the Society of St. John the Evangelist does not necessarily mean that the Reverend St. Cyr was incardinated, as affirmed by the Rota on December 9, 1912, number 9. However, since the Reverend St. Cyr served the diocese of London commendably for 22 years in his parish, and having reached the age of 66, natural equity dictates that the Ordinary of London should provide for his honest support, as we have already stated in the decree of April 13, 1917.

Having considered all of the above, both in fact and in law, We, the undersigned Auditors, sitting for the Tribunal, and with only God before our eyes, invoking the name of Christ, pronounce and definitively judge, answering the proposed questions:

Regarding point 1: Affirmative, with regard to the objections of incompetence raised by the priests Loiselle, L'Hereux, and Langlois; negative, with regard to the objection of suspicion raised by the priest Langlois.

Regarding point 2: Negative, with regard to the priest Loiselle; affirmative, with regard to the manner, concerning the penalty imposed on the priest L'Hereux.

[*Latin ed. p. 88*]

88 Acta Apostolicae Sedis - Official Commentary, Section 3. - Negative. Section 4. - Negative; but with regard to the declaration signed by certain priests, dated March 25, 1918, and submitted to the Sacred Roman Rota, it is to be considered as deleted from the records of the cause of London. - Dissolution, August 5, 1914. Section 5. - Negative. Section 6. - Affirmative; nevertheless, the right of the Reverend Father Saint Cyr to honest sustenance is preserved. Section 7. - Provided for by the decree of the turn of April 13, 1913. Furthermore, We decree that the expenses are to be borne by the parties. Thus We pronounce, commanding the Ordinaries of the places and the Ministers of the Tribunals to whom this pertains, that they enforce this Our definitive sentence, and against those who resist, they proceed according to the norms of the Code of Canon Law, Book IV, Title XVII. In Rome, from the Seat of the Sacred Roman Rota, June 15, 1920.

Aloysius Sincero, Prefect.

Fridericus Gattani-Amadori.

Iulius Grazioli.

L. f. & S. r.

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From the Chancery, July 17, 1920.

Sac. T. Tani, Notary.

[*Latin ed. p. 89*]

Year XIII - Vol. X. No. 3. February 10, 1921. ACTA AP. S. COMMENTARIUM OFFICIALE. ACTA OF POPE BENEDICT XV. LETTER TO THE REVEREND FATHER THOMAS, BISHOP MIGRATING TO TRENTON, TO WHOM HE EXPRESSES HIS PRAISE.

Venerable brother, greetings and the apostolic blessing. — Among the illustrious praises with which the beginning of your episcopate is adorned, we understand that you deserve this also: that you apply paternal diligence so that the Italians who have migrated there may be protected from every kind of error and may steadfastly retain their ancestral faith. For when a new colony of Italians is founded in the Trenton diocese, it is immediately your concern that a church be erected there with suitable buildings, so that nothing pertaining to the worship of religion may be lacking there. Moreover, you have also acquired, through the generosity of Mr. Jacob G. Brady, a most excellent man of New York, a large house, with the intention that the "Pious Filippini Sisters," as they are called, may properly form the minds and hearts of the Italian girls. Know, therefore, that We hold your pastoral skill in high regard; for when you actively strive for the salvation of souls, you also contribute to the growth of this Institute of the Pious Sisters, which is highly esteemed by this Apostolic See, due to its merits. Therefore, continue, venerable brother, as you have begun, to promote these salutary endeavors, supported also by Our authority. We, praising your excellent zeal, are confident that it will be so throughout the United States. ACTA, vol. XIII, no. 3. — 10-2-1921.

[*Latin ed. p. 90*]

90 Acta Apostolicae Sedis - An Official Commentary: May those Italian citizens who are migrating there find that Christian charity for which you are a shining example. Refreshed by this hope, and invoking the heavenly gifts which we earnestly pray will be bestowed upon you, and also as a pledge of Our special benevolence, we impart, with a willing and generous heart, the apostolic blessing to you, venerable brother, and to all those who are assisting in these salutary endeavors. Given in Rome, at Saint Peter's, on the tenth day of December, 1920, in the seventh year of Our Pontificate. BENEDICTUS PP. XV

TO THE REVEREND GENERAL PROCURATOR OF THE PIOUS SOCIETY OF SAINT FRANCIS DE SALES, IN GRATITUDE FOR THE ACT OF FILIAL DEVOTION, TWO VOLUMES PRESENTED: GREETINGS AND APOSTOLIC BLESSING.

Beloved son, greetings and the apostolic blessing.

We have received from you two volumes, one entitled "A Handbook

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for the Ordering and Examination of Priests," and the other "Elements of Public and Private Church Law," and we have appreciated them as a testimony of piety and of the zeal you have shown in the formation of the clergy. Scarcely any work, perhaps, can be more useful. For whatever is imparted to clerics concerning holy doctrine is a seed which, multiplied in the hands of the cultivators themselves, yields a hundredfold. And this is the reason why, beloved son, while we give thanks for the gift you have presented, we also congratulate you on the excellent work you have done. Receive as a token of Our benevolence the apostolic blessing, which, as a bringer together of heavenly gifts, we impart to you with all Our heart.

Given in Rome, at Saint Peter's, on the seventeenth day of December, 1920, in the seventh year of Our Pontificate. BENEDICTUS PP. XV.

[*Latin ed. p. 91*]

Acts of Pope Benedict XV, 91, III, Addressed to Father Francis Zorell, S.J., Concerning the Completion of the "Sacred Scripture Course." Beloved son, greetings and the apostolic blessing. — It is entirely in accord with Our desires that you have informed Us of your intention to continue and complete the "Sacred Scripture Course" which was interrupted by the recent war. And We, beloved son, and with your fellow laborers, heartily congratulate you. For We know that the priests of your Order who previously worked on the same project have done so with great merit in the instruction of doctrine and in obedience to the Church's teaching, and with great fruit in biblical discipline; and it is right that We should expect no less from you and your colleagues; for We have no doubt that you will undertake this work with the same adornment of virtues. It also gives Us good hope that these biblical writings will be reviewed during these Hieronymian celebrations. It appears that, under the guidance of a certain great Doctor, your studies are directed towards that very discipline by which the same was so greatly illuminated, and that you wish to pursue the same arduous goal with that same teacher. We, in order that this may also contribute to the good, gladly grant that the volumes which are published as a result of this work may be attributed to Our name; and We impart to you, beloved son, and to your colleagues, with heartfelt affection in the Lord, the apostolic blessing, witness to Our benevolence and to the heavenly conciliation. Given in Rome, near the blessed Peter, on the twenty-eighth day of December, in the year 1920, in the seventh year of Our pontificate. BENEDICT XV.

IV, Addressed to John, S.R.E., Prefect, Cardinal Csernoch, Archbishop of Strigonium, and to the Venerable Brothers, the Bishops of Hungary: Expressing Gratitude for Common Official Letters. Beloved sons and Venerable Brothers, greetings and the apostolic blessing. — Your common letter has renewed in Us the memory and the sorrow of past times; and may the

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many and grievous troubles...

[*Latin ed. p. 92*]

92 Acta Apostolicae Sedis - The official commentary, which you have diligently prepared, has not only brought you praise, but has also exposed you to all kinds of harshness and hostility from those hostile to the Catholic name. The judgments of God are inscrutable: but the evils with which we are afflicted, and the good things from which we are deprived, are often invitations, as you know, to correct our manners and to more diligently safeguard divine gifts; and this, I wish you to consider. To you, however, my beloved sons and venerable brothers, it is necessary to remember the past, and to repair the present; and to this end, you must devote your efforts, so that religious matters may flourish among you, and be restored to their former dignity through Christian morals. I urge your faithful to adhere to the Apostolic See, so that they may receive with a willing heart all the mandates and admonitions that come from it, and obey them most religiously. Therefore, you have good ground, and whatever good seed your clergy sows in it will not easily wither, but will yield its fruit. It is most important to employ clergy who are good workers in the vineyard of the Lord. For if your efforts and undertakings do not correspond to the divine glory and the eagerness for the salvation of souls of your clergy, they will scarcely be of any benefit. That all these things may happen happily and prosperously for you, I impart to you all, my beloved sons and venerable brothers, to the clergy and to the people among you, with a paternal heart in the Lord, our heavenly blessings and a testament of our benevolence, and bestow upon you the apostolic blessing. Given at Rome, in the seventh year of Our Pontificate. Peter, on the twentieth day of January. BENEDICT XV 1921.

[*Latin ed. p. 93*]

Acta Benedicti PP. XV 93. SERMO AD PAROCHOS ET AD QUADRAGESIMALIS IN URBE CONCIONATORES (VII februarii MCMXXI).

From the war, the name of ”men of God” is fitting for preachers: *tu, autem, homo Dei* (1 Timothy, vi, 11); it is a sublime office of ”evangelists” that preachers must fulfill: *opus fac Evangelistae* (2 Timothy, iv, 5). But what is the goal to which they must aspire? This is a question of no small importance. For, just as one who bears a distinguished name should feel spurred, even by the simple remembrance of that name, to conform his actions to the ancient nobility and grandeur of the family to which he belongs, so too, the preacher, knowing that he is called ”a man of God,” must do nothing that might render him unworthy of such a name. Likewise, just as an artisan works with greater perfection the better he understands and appreciates the excellence of the work entrusted to him, so the preacher excels in zeal the more diligently he strives, the higher the esteem he has

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for the *opus Evangelistae*, in which his ministry consists.

Nevertheless, it seems that from the consideration of the goal set before himself, the preacher should draw a stimulus to do well, even greater than that which he draws from the remembrance of his name and his office. For, if the most effective motives for action are those that are intrinsic to the individual, who will deny that the thought of the goal, as that which is a matter of the preacher's spirit, must be to him a more powerful stimulus than that of the name, which comes to him from without, or that of the office, the nature of which he has not determined?

Therefore, we do not intend to diminish the value of the exhortations and wishes that We ourselves addressed to the preachers of Rome in the two years immediately preceding, appropriating the words of the Apostle: *tu, autem, homo Dei, opus fac Evangelistae*. Nevertheless, we believe that those exhortations may acquire new force, and those wishes may become more effective, if the preachers gathered today in Our presence, not content to remember the meaning of their name and the nature of their office, also pay attention to the importance of the goal that, in embracing the ministry of sacred preaching, they have set before themselves. *In omnibus respice finem*, it is an ancient saying.

[*Latin ed. p. 94*]

94 Acta Apostolicae Sedis - Commentarium Officiale; wisdom; but today, hope smiles upon us, that we may gather new confirmation of the utility of this ancient and venerable text. In both the category of ends, and that of agents, there is an order, because in both, he who possesses the character of "principal" must precede him who has only that of "secondary." There are also criteria that help us to discern the order established in the series of ends intended by man. Among these criteria, the most important is that an end intended by man appears all the more excellent the more it approaches an end intended by God. From this, it is easy to argue the value of every work that is directed by man towards the glory of God, because the end of such a work approaches that of God Himself, who proclaims that He has made all things for His glory: "and they shall declare My glory among the Gentiles" (Isaiah, LXVI, 19). However, it is not from this that we intend to argue the value of the end to which the preacher must aspire. For, wishing to distinguish it from the end that all Christians must have, who must all work for the glory of their eternal Creator, we believe that the excellence of the end to which the preacher must aspire, rather than from its proximity to the end of God the Creator, can and should be demonstrated from the continuation of the end of God the Redeemer. Indeed, the Word of God, made flesh, openly declared of Himself that He came into the world that men might have life, and have it abundantly: "I am come that they might have life, and that their joy might be full" (John, X, 10). The life to which the divine Master referred in the lesson related by Saint John was

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evidently that of the spirit. But the life of the spirit consists in knowing and understanding the truth; it consists in knowing and loving the good. It follows that the same divine Master could turn to His eternal Father and say: "This is life eternal, that they may know Thee, the only true God, and Jesus Christ whom Thou hast sent" (John, XVII, 3); for the knowledge of the Father must show Him to us as the Lord of science and the Author of all consolation: "Dominus scientiarum et Auctor totius consolationis," while the knowledge of the divine Son must show Him to us as "full of grace and truth" (John, I, 14). For now, it is enough for us to have pointed out the brightness of this light of truth and the ardor of this flame of charity, in which consists the life of the spirit, according to the influence that comes from above. But does not the preacher aim to spread this very light and to expand this very flame? Whenever he goes forth to preach, he asks for a blessing, so that he may worthily announce the holy Gospel: "ut digne... annuntiem Evangelium suum;" but the good news, signified by the Gospel, was precisely the truth that drove away the darkness of...

[*Latin ed. p. 95*]

The acts of Pope Benedict XV, page 95, state that paganism was the law of love that succeeded the empire of force in the tyranny of barbarism. Oh, with what reason can it therefore be said that the goal to which the preacher must aspire is the continuation of the goal intended by the redeeming God! "The thief cometh not, but for to steal and to kill and to destroy. I am come that they may have life and may have it more abundantly." Likewise, preachers can say: "We aspire to give men the 'life of the spirit, and, in order to give it more abundantly, at certain times of the year, among which the season of Lent takes precedence, we strive to make the light of the evangelical truth shine ever more brightly and to make the practice of good ever easier and more universal." Therefore, he does not stray from the truth, but rather expresses the true goal to which the preacher must tend, who puts these very words in his mouth with which Jesus declared the purpose of his mission here: "Veni ut vitam habeant, et abundantius habeant." We consider it superfluous to recall that, although the equality between the goal intended by Jesus and that of the preacher is affirmed, there is an infinite distance between the work of the one and the other, because, while the redeeming God gave life to men, illuminating their minds and sanctifying their hearts, by his own virtue, preachers, on the other hand, can accomplish both things only by virtue of the ministry conferred upon them in the name of our Lord Jesus Christ. But, even recognizing—as everyone must recognize—this enormous difference between the work of a man and that of a God, it is nonetheless true that in the goal to which the preacher aspires, we must recognize a sovereign excellence, dependent on the proximity of that goal to the goal intended by the divine Redeemer. Those who are destined to perform a work of such importance, as is the work of giving

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the life of the spirit to their fellow men, recognize it first. Here is the first application to our case of the ancient adage: "in all things, consider the end." Not without reason, the divine Savior, when announcing the purpose of his coming into the world, preceded it with the remembrance of the many mercenaries who had presented themselves as guardians of the flock, in which the human race is depicted, but who in truth had shown themselves to be thieves and murderers: "Omnes, quotquot venerunt, fures et latrones." It can be said that Jesus applied this terrible sentence to these men: "Fur non venit nisi ut furetur, et mactet, et perdat," because to a field of desolation and death, he wished to oppose the garden of true life, which he would open to his followers. Just as in a painting, the dark colors of the background enhance the whiteness and beauty of the figure that stands in the center, so the shadows of death accumulated in the land by idolatry and...

[*Latin ed. p. 96*]

96 Acta Apostolicae Sedis - Commentarium Officiale. From paganism, these [acts] would have served to bring the doctrines of the Gospel into clearer light, and the life brought by the Messiah would have been so much more appreciated, as experience would have better confirmed that the thief cometh not, but for to steal and to kill and to destroy. I am come that they may have life and may have it more abundantly. But alas! How much like a field of death is today's society, enveloped in the darkness of terrifying ignorance and covered by the shadows of horrible sins. Therefore, appreciate highly your lot, most beloved sons, who have embraced the ministry of sacred preaching, for through this, you are made continuers of the work of God. In the natural order, parents are co-operators with God for the preservation of the human race. Yet, how rare are the parents who consider their office, by nature, as a co-operation in the work of God, the preserver of the world! Also, you, most beloved pastors, and you, sacred orators, are greeted by the people with the name of fathers, for the people call "father pastor" or "father preacher" respectively the parish priest and the Lenten preacher, even when neither belongs to the regular clergy. This means that the popular language attributes to pastors and preachers the purpose of giving spiritual life to those who are miserably deprived of it. We can therefore say that it is confirmed by common sense that the purpose of the preacher is to continue that which the Divine Redeemer attributed to Himself when He said: "The thief cometh not, but for to steal and to kill and to destroy. I am come that they may have life and may have it more abundantly." But if the name of "men of God" excites in preachers who bear it a constant zeal to safeguard the interests of God; if the office of evangelists, which consists of the ministry of preaching, obliges the sacred orator to announce nothing but the "good news" brought to the world by Jesus Christ, then the thought of the purpose to which preachers

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aspire must fill them with holy joy, must inspire them with the echo of the voice repeated in their ear: "You have the very purpose of the God-Man!" ut vitam habeant, et abundantius habeant. And thus, once again, the utility that a preacher can derive from keeping in mind the ancient lesson is demonstrated: in all things, consider the end. Let no one believe that a preacher can be satisfied with mere theoretical enthusiasm. We have just lamented the ingratitude of those who do not appreciate the highest lot of being a co-operator of God in the propagation and preservation of the human race; and now, we would not be satisfied if we saw in a preacher only the satisfaction that the observed similarity of his purpose with the purpose intended by the Divine Redeemer produces in him. We would not be satisfied even if we saw him boasting of the privilege of giving or increasing spiritual life to his neighbor; for in him, we also want to see a constant care and a continuous effort in...

[*Latin ed. p. 97*]

Acta Benedicti PP. XV 97 F: Imitate the manner in which the Messiah achieved the end He proposed in coming into the world. The Angelic Doctor teaches us that things ordered to an end are necessary if and insofar as, without them, the end could not be attained (Summa Theologica, I, q. 10, a. 19): therefore, he who desires an end must also desire that which is connected to that end.

But who will deny that the preacher, in order to give spiritual life to his neighbor, must first do that which Jesus Christ Himself first did for the same purpose? The Divine Master, in His mortal life, was concerned with the glory of His heavenly Father and the integrity of true doctrine, for He said to His Mother, who gently rebuked Him for remaining in the temple: "Did you not know that I must be about My Father's business?" And, at the end of His mortal life, He broke the silence He had maintained before His judges, only when the worship due to truth required Him to affirm His being, that is, His condition as the Son of God. Therefore, the preacher, following this most admirable example, must proclaim the entire Gospel truth, in every phase of his preaching, without concealing anything, neither out of regard for the flesh, nor out of fear of possible evils.

Jesus permitted the temporary separation from His most holy Mother and from His putative Father, because, some years later, He would have to say that He had come into the world so that men might have life: *ut vitam habeant*; Jesus, who had remained silent while listening to many accusations brought against Him in the tribunals, would not tolerate that His silence might shake the faith of the disciples, to whom He had come to give life, and He wanted them to have it abundantly: *ut abundantius habeant*.

Likewise, the preacher, who does not, and must not, be content to boast of the equality of his purpose with that of the Divine Redeemer, but who,

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as he must, imitates the manner in which the Messiah achieved the end He proposed in coming into the world, must direct all of his ministry of preaching to the glory of God, so that he may repeat with Jesus: *in iis quae Patris mei sunt oportet me esse*; and he must likewise direct his ministry to the increase of the spiritual life of his hearers, so that he may say again, with the Divine Master, more through the eloquence of deeds than through words: *The thief cometh not, but for to steal and to kill and to destroy. I am come that they may have life and may have it more abundantly.*

We will not dwell on what is positively important in this imitation of the manner in which the Messiah achieved His end; rather, we will point out what is important in a negative sense. For it excludes the possibility that the preacher aims to satisfy his own ambition, to make a name for himself as a learned or literary man, or to flatter the ears.

[*Latin ed. p. 98*]

98 Acta Apostolicae Sedis - Official Commentary. Those who fail to move the hearts of their listeners demonstrate that they do not, at least in practice, understand the sole and true purpose to which the preacher must aspire. Any suspicion of a different motive would be justified against one who is unwilling to address every class of people, but who prefers the most educated and refined, and who directs to them a language that is too elaborate and ornate; for Jesus Christ preached to the crowds, and in order to be understood by them, He preferred to use the simple and familiar language of parables. The same can be said of one who disdains to converse with children, and who finds the teaching of the catechism tedious, because Jesus Christ did not wish that the little ones should be kept away from Him. And the same can be said of one who seeks to avoid discomforts and to flee the labors that accompany the ministry of preaching, because Jesus persevered near the well of Sychar, although *fatigatus ex itinere* (John IV), and because Jesus, in fulfilling the office of Teacher, went even to those places where His disciples remembered that the Jews wished to put Him to death (John XI). We would do you a disservice, most beloved sons, if we were to insist further on demonstrating that he who values an end must use the means that most effectively lead to achieving that end itself. None of you are ignorant of the teaching of Saint Thomas: *quanto aliquid efficacius ordinatur ad finem, tanto est melius* (Summa Theologica II-II, q. CLII). But, if the purpose of the preacher is not dissimilar, although so much inferior in excellence, to that which the Divine Redeemer had when He came to this earth, it is evident that the preacher, in order to achieve his purpose, cannot use a more effective means than imitating that which the Divine Redeemer did to achieve His.

Nevertheless, in this imitation, there can be different degrees, as is also evident from the aforementioned words of the Angelic Doctor, which make the greater or lesser perfection of the work depend on the greater or lesser

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effectiveness of the means employed: *quanto efficacius... tanto est melius*. Therefore, we hope that the sacred orators, destined to announce the divine word to the people of Rome during the upcoming Lent, will not depart from our presence today unless they have first formed the resolve to imitate ever better the Model of all preachers, Jesus Christ. They are about to present themselves to the people as ambassadors of Jesus Christ; the ambassador represents the very person of the sovereign who sends him; but how can the people recognize the person of Jesus Christ in a preacher who does not preach as Jesus Christ preached? Oh! There would be reason to fear that the people would suspect in that preacher a purpose different from that which the Divine Redeemer had in mind when He came to this earth.

[*Latin ed. p. 99*]

From the Acts of Pope Benedict XV, page 99: "But we desire that all the preachers of Rome may, with the greatest truth, make their own the words of the Divine Master: *The thief cometh not, but for to steal and to kill and to destroy. I am come that they may have life and may have it more abundantly.* And the same wish we extend to the pastors of this beloved City, who are gathered here today to honor us. In a certain sense, it can be said that they can, even more literally than the preachers, claim these words: *ut vitam habeant*, because it is the pastors who, through the holy baptism, open the source of spiritual life, and it is generally the pastors who, through the administration of the sacrament of penance to the dying, restore the life of grace to those who have lost it. But, even setting aside this literal interpretation of the words: *Venī ut vitam habeant*, are not the pastors who, through the catechetical instruction that is their duty, open the minds of children to the knowledge of evangelical truth? Are not the pastors who, through their love for good, instill virtue in hearts, through that collection of exhortations, examples, and advice, of sacred functions and good works, which constitute parish life? Oh! May the imitation of the zeal that Jesus Christ had for the salvation of souls be reproduced in the pastors, and may, both in the pastors and in the preachers of Rome, it be fruitful in those graces that We wish them, while We impart to both, with an abundance of paternal affection, the apostolic blessing."

[*Latin ed. p. 100*]

100 ACTS OF THE HOLY CONGREGATIONS. SACRED CONSISTORY CONGREGATION. 1. DESIGNATIONS OF ORDINARIES FOR THE EXAMINATION OF APPEALS OF BISHOPS, IMMEDIATELY SUBJECT TO THE HOLY SEE. By virtue of canon 1594 of the Code of Canon Law and article V of the decree of the Provincial Councils, issued by the Most Holy Consistory on February 15, 1919, for the election of a court of second instance: The Most Reverend Archbishop of Ferrara designated the Ordi-

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nary of Bologna. Lucanus, the Ordinary of Florence. The Bishop of Arezzo, the Ordinary of Siena. Ilcineusis, the Ordinary of Siena. Valva and Sulmona, the Ordinary of Chieti. Cava and Sarno, the Ordinary of Naples. Monopoli, the Ordinary of Bari. Plata, the Ordinary of Cochabamba. Port-au-Prince, the Ordinary of Cap-Haïtien. The Most Reverend Ordinary of Saint Lucy, the Ordinary of Messina. These designations have been approved by the Most Holy Pope Benedict XV. Rome, from the offices of the Sacred Consistory Congregation, on December 30, 1920. DESIGNATION OF A METROPOLITAN FOR THE PROVINCIAL COUNCIL. According to canon 285 of the Code of Canon Law, the Archabbot of Nullius and Ordinary of Saint Martin in Monte Pannonia designated the Archbishop of Gran. This designation has been approved by the Most Holy Pope Benedict XV. Rome, from the offices of the Sacred Consistory Congregation, on December 30, 1920.

[*Latin ed. p. 101*]

Sacred Congregation of the Consistory, 101 DESIGNATIONS OF ORDINARIES FOR APPEALS, according to Canon 1594, § % of the Code of Canon Law, for appeals: The Most Reverend Archbishop of Gorizia designated the Ordinary of Udine. The Theatine Fathers and the Administrator of Vast, the Ordinary of Lanciano. The Bishop of Trani, Barola, and the Administrator of Bisceglie, the Ordinary of Bari. The Archbishop of Lviv of the Latins, the Ordinary of Gnesen and Posen. These designations were approved by the Most Holy Father Benedict XV. Given in Rome, from the offices of the Sacred Congregation of the Consistory, on the 30th of December, 1920.

II. PROVISIONS FOR CHURCHES. By decrees of the Sacred Congregation of the Consistory, the Most Holy Father Benedict XV provided for the following churches with their own pastors, namely:

December 23, 1920. – He appointed the Reverend Leopold Lara, the parish priest of the place commonly called Gelaya, in the archdiocese of Mechoacan, as the prefect of the cathedral church of Tacámbaro.

January 9, 1921. – He appointed the Reverend Father Francis Regis Canevin, formerly the Bishop of Pittsburgh, as the titular archbishop of the church of Pelusia.

[*Latin ed. p. 102*]

From the Acts of the Apostolic Sees – Official Commentary.

SACRED CONGREGATION FOR RELIGIOUS.

Decrees of the Sacred Congregation of Religious, Our Most Holy Father Benedict XV, November 28, 1920.

The Institute of Sisters of the Third Order of St. Dominic, called by the

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name of St. Catherine of Siena, whose principal house is located in the diocese of Albi, was approved, with all its privileges, and also its Constitutions, for a period of seven years.

The Institute of Sisters of the Holy Heart of Jesus, whose principal house is located in Mexico City, was approved, along with its Constitutions, for a period of seven years, for the purpose of trial.

The Institute of Sisters of the Most Grateful Heart of Jesus, whose principal house is located in Madrid, was approved, along with its Constitutions.

SACRED CONGREGATION FOR THE PROPAGATION OF THE FAITH.

DECREE.

THE ARCHBISHOP OF COLONIA IS ELECTED PRESIDENT FOR GERMANY OF THE PIOUS UNION OF THE CLERGY FOR MISSIONS.

The happy growth of the Pious Union of the Clergy for Missions in Germany gives the best hope that even the faithful of that most noble nation will multiply the abundant fruits already given, in order to promote missions among different peoples. Therefore, in order to promote the study of religion, in which the minds of both priests and the faithful may be inflamed, and to achieve the desired results, it has seemed opportune to elect the President of the Pious Union for Germany, taking one region from Bavaria, as the Most Reverend Father Dominic Charles Joseph Schulte, Archbishop of Colonia, who is highly recommended for this office by his outstanding zeal for the works of the Propagation of the Faith and his prudent counsel.

[*Latin ed. p. 103*]

103. The Holy Congregation for the Propagation of the Faith, therefore, by virtue of the powers granted to it by the Supreme Pontiff, nominates and establishes the aforementioned Archbishop of Cologne as President of the aforementioned Union, by this present Decree, notwithstanding any contrary provisions. Given in Rome, from the offices of the aforementioned Holy Congregation, on the 3rd of December, in the year 1920, on the feast of Saint Francis Xavier.

G. M. CARD. VAN ROSSUM, Prefect.

L. © S. C. Laurenti, Secretary.

II. DECREE: The Archbishop of Munich and Freising is appointed President of the Pious Union of the Clergy for Missions in the Bavarian Region.

Since the Union of the Clergy for Missions is flourishing with joyful growth among the noble people of Bavaria, and Apostolic Missions, according to the desire of the Supreme Pontiff Benedict, Divine Providence, Pope XV, are greatly supported by the diligent work and contributions of

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all the faithful, it has been deemed proper to establish a President for that Union, so that this may be an honor to that people and contribute to the greater propagation of the Faith.

Therefore, this Holy Congregation, for the propagation of the Christian Name, by virtue of the powers granted to it by the same Supreme Pontiff, by this present Decree, appoints and establishes the Reverend Father Michael de Faulhaber, Archbishop of Munich and Freising, as President of the Pious Union of the Clergy for Missions in Bavaria, with all the rights and powers pertaining to such an office, and confides that his efforts will greatly promote the study of the expansion of the Faith in that region.

Notwithstanding any contrary provisions.

Given in Rome, from the offices of the aforementioned Holy Congregation, on the 3rd of December, in the year 1920, on the feast of Saint Francis Xavier.

G. M. CARD. VAN ROSSUM, Prefect.

L. £g S. C. Laurenti, Secretary.

[*Latin ed. p. 104*]

Acts of the Apostolic See - Official Commentary 1©4 III APPOINTMENTS By brief apostolic letters, the following were appointed: December 20, 1920. — Coadjutor with right of succession to the Apostolic Vicar of Northern Manchuria, the Most Reverend Augustus Ernest Peter Gaspais, from the Seminary of Paris for Foreign Missions. December 30, 1920. — Apostolic Vicar of the Marquesas Islands, the Reverend David Le Cadre, of the Society of the Sacred Hearts, commonly known as the Picpus Fathers. January 4, 1921. — Apostolic Vicar of New Antwerp in the Belgian Congo, the Reverend Aegidius de Boeck, of the Congregation of the Immaculate Heart of Mary of Scheut.

SAINT DOMINIC

CONGRATULATORY LETTER

CONCERNING THE ANCIENT DEVOTION TO SAINT DOMINIC SPADAFORA, A PRIEST OF THE ORDER OF PREACHERS, NOW BLESSED.

Dominicus Spadafora, a priest and professed member of the Order of Preachers, now Blessed, was born in Palermo, from the illustrious and noble family of Spadafora, or Spatafora, which originated in Constantinople, then moved to Venice, and finally to Sicily. Concerning the ancient devotion to this Servant of God, which is now being confirmed by Apostolic authority, the following is written.

This Servant of God, while still young, devoted himself to studies in his

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native city, at the school of the Fathers of the aforementioned Order, in the Convent of Saint Cyriacus. Feeling a divine vocation, he scorned worldly riches and pleasures, left his paternal home, and entered the Convent and the Order. As a novice, he observed the rules with the utmost diligence; having completed his novitiate, he was admitted to religious profession; in this state, through doctrine, piety, and bodily mortification, he edified his brethren and...

[*Latin ed. p. 105*]

The Holy Congregation of Rites compared him to those of a higher rank. Having increased in the priesthood, he completed his studies in Padua, and was also chosen for the teaching of sacred theology. Upon returning to his homeland, he brought forth many salutary fruits through his priestly ministry, especially through the preaching of the Word of God, strengthening the opinion of his doctrine and sanctity. Afterwards, Father Joachim Turriano, the General Master of the Order, took him as a companion, having experienced him to be very suitable, and gladly retained him in that office; until, at the urgent request of the Bishop of the diocese of Feretrana, and with the unanimous votes of the clergy and people of Montecerignone, the servant of God was not only appointed to cultivate that vineyard spiritually with several companions, but also entrusted with the task of overseeing the construction of a convent in that place and presiding over the religious family. Dominic immediately petitioned for the aforementioned town, and, after receiving appropriate advice, and with the prior granting of an Apostolic Indult and the intervention of the Municipality through public notarial deeds, on March 18, 1493, he took possession of the land designated for the construction of the church and convent. There, he diligently promoted the construction of the buildings, inspiring the faithful through his preaching and example of virtues to provide alms and offerings. Things proceeded so well and generously that, under his diligent direction, the entire construction of the church and convent was completed; and on Sunday, July 3, 1498, the church itself was consecrated by the Bishop of Senigallia, under the name and title of Saint Mary of Graces. But this house of God and house of prayer indicated to the mind and heart of Dominic another house as well, a spiritual one, founded upon the firm rock of Christ the Lord. For Peter says: "And you, as living stones, are built up a spiritual house, that is, a holy priesthood." "Stones are hewn from the mountains" – Augustine adds (In Psalm 121) – "by the hands of those who preach the truth, and are fitted together to enter into the eternal structure. Believers are joined together by charity. If we ourselves are building the house of God in this world, we shall be dedicated in the end of the world. Building involves labor, dedication involves rejoicing." Therefore, Dominic, a tireless worker, devoted himself with word, deed, and all his strength, so that the visible building of the house of God and its adornment might correspond in a

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better way to the spiritual temple with divine worship and religious piety; and he achieved a prosperous and happy outcome, so that the people of that place might flourish then and in the future with living faith, excellent morals, and Christian virtues, and that more faithful might embrace the religious state, even within the Order of Saint Dominic. But the servant of God, always looking to the spiritual good and salvation of others, never forgot his own religious perfection. He frequently practiced fasting and bodily mortification, especially on every Saturday throughout the year, in memory of the Lord's Passion.

[*Latin ed. p. 106*]

106 Acta Apostolicae Sedis - Official Commentary. Modest, gentle, humble, constant in prayer, and wholly dedicated to divine service and the salvation of souls through the sacred ministry. He diligently fulfilled the duties of his office, and never neglected the tasks entrusted to him, serving both his brethren and outsiders, just as the angelic Thomas was held up as an example of virtue and doctrine. Finally, on December 21, 1521, after devoutly celebrating Mass and completing the Divine Office, having exhorted his brothers to mutual charity and regular observance, and on the very day he had foretold his death, he received the sacraments of the Church and, surrounded by his beloved brothers and children, peacefully breathed his last. Having briefly recounted these things concerning the life, deeds, and death of the Servant of God, as gleaned from the process records, it is now necessary to turn to the principal question of the public, ecclesiastical, and uninterrupted cult, which has continued to this day, exhibited to Dominic Spadafora. The proponents of the cause, supported by authentic testimonies and documents presented in the informative process in Feretrano, seek to demonstrate the existence of such a cult, in accordance with the decrees of Pope Urban VIII and the ancient order of law; provided that they obtained an Apostolic dispensation for just reasons on April 21, 1920, according to the decrees of the Sacred Congregation of November 11, 1912, and January 31, 1913, and the provisions of the Code of Canon Law, Book IV, Title XXV, concerning the beatification of the Servants of God "through the way of cult or exceptional cases." The arguments presented are divided into two sections, the first concerning the period up to the year 1634, and the second from that year to the present. Considering both sections, it must be said that the reputation for holiness, with which the Servant of God shone both in life and after death, aroused in the faithful devotion and religious veneration, public and constant. From the aforementioned day and year of his death, the people flocked to visit his lifeless body, to attend the solemn funeral, and to the tomb, which was not ordinary but honorable, constructed of stone and placed in the church, to the right of the main altar, where he rested until the year 1545, when, twenty-four years after his death, before a public notary and many people, the tomb was opened, and his

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body was found to be perfectly preserved and emitting a pleasant fragrance. The faithful constantly approached the tomb to seek the help of the Servant of God, and many offered actions of thanksgiving, with devout affection and generous offerings, for the benefits and healings received. The same body remained exposed for public veneration in the side chapel of Saint Dominic of Suriano, in the church of Saint Mary of Graces, until the year 1677. At that time, it was duly recognized and placed in a new shrine, before a large crowd of people and clergy.

[*Latin ed. p. 107*]

The Holy Congregation, with one hundred and seven members present, with lights illuminated, hymns and spiritual songs, proceeded solemnly from the aforementioned church to the town of Cerignoni, and thence to the church of the Holy Mary in Reclauso, with bells and trumpets sounding. Behind the main altar was placed a structure with the following inscription: "Stop, traveler, and consider the heavenly things which these woods nourish." To Blessed Dominic Spadafora, whose blood was shed, whose doctrine was clearer, whose sanctity was most brilliant, Messina gave him. The Order of Preachers bore fruit to heaven, perpetually dedicated to the causes of the faithful. Mount Cerignoni bestowed upon him eternal glory on December 11, 1621. The ark which you see faithfully preserves the incorrupt body for eternity. The ancient reliquary, with its inscription taken from the Office of the Holy Confessors, according to the Breviary of the Order of Preachers: "The pious grace of Christ has exalted the saints, whom the Order of Our Holy Father Dominic has spread," was given to the Augustinian nuns, because of their special devotion to the Servant of God, whom they call Blessed and Holy and venerate. It is worthy of mention that canonical recognitions of the sacred body were instituted by the ordinary ecclesiastical authority in the years 1884 and 1903, with public notaries recording the acts or instruments. In the year 1893, Alphonsus Fahrini, Rector, having heeded the wishes of the faithful, raised the body of Blessed Dominic Spadafora from its former location and placed it in this shrine, built with a supporting structure, in the year 1893, as stated in the marble inscription carved in the same shrine or chapel erected in memory of Blessed Dominic, within the church of the Holy Mary in Reclauso. Therefore, from historical writers, from the documents presented, and from the witnesses examined in the Informative Process, those involved in the Cause easily deduce the public and constant veneration of Dominic Spadafora, through the title of Blessed or Saint, through images illuminated with rays, through public prayers directed to the Blessed, through votive tablets and offerings, through lamps lit, through relics offered for veneration and kisses by the faithful, through frequent visits and religious pilgrimages, and finally, through Masses celebrated in honor of the Blessed, requested and offered through vows, and noted in the parochial books. Since these things are so,

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the Reverend Father Ludovico Fanfani, general promoter of the Order of Preachers, with the common intention of the entire Dominican Family, and of the diocese of Ferentano and its Bishop, the Reverend Father Dominic Raphael Santi, and the Most Reverend and Most Illustrious Don Victorious Amedeus Ranuzzi de Bianchi, Promoter of this Cause, proposed the following question for discussion in the ordinary meeting of the Congregation of Sacred Rites, convened in the Vatican: Whether the judgment of the Judge delegated by the Most Reverend Ordinary of Ferentano, concerning the public and ecclesiastical cult, from time immemorial...

[*Latin ed. p. 108*]

108 Acta Apostolicae Sedis - Official Commentary, concerning the aforementioned Servant of God, or regarding the case exempted from the decrees of His Holiness Urban VIII, Pope, in order to confirm, in the case and to the effect of which we are speaking. And the Most Eminent and Reverend Fathers entrusted with safeguarding the sacred rites, after hearing the report of the Most Eminent Prelate, and after having heard, both orally and in writing, the Reverend Father Angelo Mariani, General Promoter of the Faith, having diligently considered all matters, they decided to respond: Affirmative, that is, to confirm the judgment. On January 11th, in the year 1921. Subsequently, the Most Holy Lord, our Pope Benedict XV, through the undersigned Cardinal, Prefect of the Congregation for Sacred Rites, received a report; His Holiness approved and ratified the aforementioned Decree of the same Sacred Congregation, on the 12th of the same month and year.

A. CARD. VICO, Bishop of Porto and Santa Rufina, Prefect of the Sacred Congregation.

S. ALEXANDER VERDE, Secretary.

II. CONCERNING THE BEATIFICATION AND CANONIZATION OF THE SERVANT OF GOD, MARIA EUSTELLA HARPAIN, VIRGIN.

In the suburb of St-Palais, in the city of Saintes, in the diocese of La Rochelle, in the year 1814, in the month of April, Maria Eustella was born to Renato Harpain and Maria Picotin, and was regenerated through Baptism. The Servant of God, Maria Eustella, was properly instructed in the mysteries of the faith and in the precepts of morals, together with her brother and sister, by her most pious mother, in the Catholic religion. From the age of five until she was ten, she learned the elements of literature, excelling among her schoolmates in intelligence, study, and diligence, as attested by her teacher. She always delighted in reading the New Testament and *The Imitation of Christ*, so that, by following the teachings and examples of the Divine Master, she might become a true and faithful disciple.

However, in order to provide for herself and her family, who were experiencing poverty, she diligently applied herself to the arts of sewing and

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weaving, for which she aroused the admiration of all, and she earned an honest and desirable income. Although, due to her special qualities and the esteem in which she was held by the inhabitants, Maria Eustella may have indulged somewhat in youthful pleasures and the pursuit of vain glory, nevertheless, she preserved her mind and heart intact.

[*Latin ed. p. 109*]

109. It happened that, while one day she was assisting at the holy sacrifice of the Mass, moved by the piety and modesty of a certain young girl who was praying, and with the help of divine grace, she resolved, with eager and prompt spirit, to lead a sober and pious life, utterly despising and rejecting worldly pleasures. She more perfectly fulfilled this purpose when, at the age of twelve years, she prepared herself for her First Communion, which she received with such devotion, fervor, and fruitfulness, that, often recalling it, she called the day of her First Communion the day of her conversion; and from that time she frequently approached the sacred Synagogue. The handmaid of God, having now grown up and completely dedicated herself to God, so that she might not be distracted in spiritual and heavenly matters by domestic obstacles, preferred to leave her father's house and go to another, less comfortable but more free, place, where, freed from worldly ties, she could better devote herself to works of piety and art. Indeed, she was devoted to prayer, assiduous in the sacraments, and she was accustomed to attend daily Mass, and she diligently performed the duties assigned to her, taking care of the cleanliness of the church and sacristy, as well as of the sacred vestments. Her devotion to the most holy Sacrament of the Eucharist was admirable; she was careful to adorn its altar above all others. Before it, she poured out, day and night, the acts and fervent affections of her faith, hope, and ardent love for her beloved Spouse. She sought to spread this spirit of piety and imitation of the divine Redeemer and His Eucharistic Mystery, as well as the Blessed Virgin Mary and the saints, among young girls and families, through diligent counsel, appropriate instruction, and spiritual songs, which resonated more under her direction and harmonious voice. The sweetness of her manners, her angelic piety, and her holy conversation emitted rays of clear light, dispelling spiritual darkness, clouds, and anxieties, and bringing peace and quiet to all who sought her opportune help and comfort, constantly elevating their minds to heavenly things with great confidence in the most merciful God. Adorned with these virtues, Mary Eustella, with the advice of the parish priest and confessor, entered the institute of the Ladies of the White Habit at Solaize. However, shortly afterward, she was compelled to leave it, due to her poor health, and because of the nature of the teaching and active life, which she said she preferred to a contemplative, solitary, and austere life. Nevertheless, the handmaid of God, even while living in the world, solely intending and following the divine will through love of God and neighbor,

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and through the practice of virtues, acquired a particular reputation as a pious and holy young woman. Finally, weakened by a natural illness, and more so by a singular love for Jesus in the Sacrament, by which the soul of that woman pleased God, ripe for heaven, strengthened by the sacraments of the Church, in the place of Saintes, in the diocese of La Rochelle, on June 29th,

[*Latin ed. p. 110*]

110 Acta Apostolicae Sedis - Official Commentary, in the year 1842, at the age of twenty-eight, she peacefully departed this life. Meanwhile, the fame of her sanctity, both in life and after death, did not diminish, but rather increased and spread, prompting the Episcopal Curias of La Rochelle (-Saintes) to initiate an Ordinary Informative Process concerning this very fame. Once completed, and transmitted to the Congregation for Sacred Rites in Rome, and after, with due regard for legal procedure, the writings of the aforementioned Servant of God were also examined, and nothing hindering further proceedings was found, at the urgent request of the Most Reverend Father Ludovico Copéré, General Procurator of the Society of Mary, and legitimately appointed promoter of this Cause, and after careful consideration of the letters of request from the Most Eminent Cardinal Paulinus Andrieu, Archbishop of Bordeaux, from other Archbishops and Bishops, together with the Most Reverend Bishops of La Rochelle and Saintes, and from the Generals Superiors of the Society of Mary and the Congregation of the Most Holy Sacrament, and from the General Superior of the Society of the Servants of Jesus in the Most Holy Sacrament, the following Cardinal, Anthony Vico, Bishop of Porto and Santa Rufina, appointed as Promoter or Relator of this Cause, proposed the following question for discussion at the Ordinary meetings of the Congregation for Sacred Rites, convened on the date indicated at the Vatican: "Should a Commission for the Introduction of the Cause be appointed in this case, and for the purpose in question?" And the Most Eminent and Reverend Fathers presiding over the sacred rites, after hearing the report of the aforementioned Cardinal Relator, and after hearing the voice and the written opinion of the Reverend Father Angelo Mariani, General Promoter of the Faith, after carefully considering all matters, they decided to write: "Affirmatively, that is, a Commission for the Introduction of the Cause should be appointed, if it pleases the Most Holy [Father], on January 11, 1921." After all of this was reported to the Most Holy Lord, our Pope Benedict XV, by the aforementioned Cardinal, Prefect of the Congregation for Sacred Rites, His Holiness, approving the decree of the aforementioned Sacred Congregation, deigned to sign the Commission for the Introduction of the Cause of the Servant of God, Mary Eustella Harpain, Virgin, on January 12th of the same year.

A. CARD. VICO, Bishop of Porto and Santa Rufina,

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S. E. G. Prefect.

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[*Latin ed. p. 111*]

111. The Holy Congregation of Rites, Session III, at Bologna. DECREE concerning the Beatification of Mary Bartholomew Dal Monte, the Canonization of the Venerable Servant of God Bartholomew, and the Institution of the Pious Work of Missions. CONCERNING THE DOUBT: Whether it is established that the theological virtues of Faith, Hope, and Charity, towards God and neighbor, as well as the cardinal virtues of Prudence, Justice, Fortitude, and Temperance, and those things connected with them, were present in a heroic degree, in the case and with the effects of which we are speaking? To stir up the memory of the Venerable Servant of God Bartholomew Maria Dal Monte, and to propose his merits as an example to be imitated, is of great benefit to the Christian people, and those who, observing the course of events and of men, and the particular institution of the life of this same Servant of God, clearly and plainly demonstrate this. Indeed, it is sufficient to turn one's eyes and to observe all that surrounds us, to see and perceive the prevailing evils, so that, by diligently investigating, one may easily proceed to the root of these evils, and to find that root, without doubt, especially in that which is ignored or despised, namely, the supreme principles of the Christian life, and thus, the firmest foundation of all human association. Therefore, since it is clear that, according to the testimony of Divine Providence and the experience of ages, it has been a salutary and wise counsel that, especially in times infested by the Catholic faith and good morals, true doctrine and outstanding sanctity should flourish and offer a strong opposition, it is permissible to suspect and to marvel at the apostolic decree concerning the present matter. For it pertains to the aforementioned Venerable Servant of God Bartholomew Maria Dal Monte, who, as far as he had the ability, diligently and constantly endeavored to bring all these things to bear, so that he almost traversed all of Italy with sacred missions, through which, while divine grace assisted him, he was given the opportunity to gather rich harvests of souls, and at the same time, he acquired the merit of constant and heroic sanctity, and that, which was his vocation, he pursued with the utmost effort.

[*Latin ed. p. 112*]

112 "Acta Apostolicae Sedis" – The official record, concerning the birth, the proclamation of the Gospel, and the tireless service rendered by this man in the vineyard of the Lord. Indeed, the venerable Bartholomew, having been born with a nature strongly inclined towards piety and good arts, and being detached from worldly pleasures and vanities, and having, moreover, been nurtured and guided towards this path, after having been entrusted to the best of teachers in discipline.

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Therefore, it is not surprising that, as he advanced in age, he suddenly began to experience a fervent desire to dedicate himself to the sacred ministry; and therefore, having received advice from the most experienced masters, he revealed his intentions to his parents. But he found that, far from being agreeable, they were quite the opposite, and he was met with considerable anger. However, he did not cease, nor did he yield; but, as history recounts has often happened with other holy men, he fled to the most august Mother of God, our Mother, and, with constant prayer, he recounts that he was miraculously delivered from the grave and prolonged anxieties that weighed upon him, and he never ceased, with a grateful heart, to remember and to proclaim this, as long as he lived.

It happened that the new teacher, whom the father had given to his son Bartholomew, and who, as he hoped, would lead the son away from his original purpose, contrary to what he expected, was the very one who, having tested and recognized the truth of the son's vocation, announced to both of them, to the son indeed, as well as to the father, what had been previously known and celebrated in sacred letters: "It is necessary to obey God rather than men." This, which the son received with gratitude, and which the father, indeed, did not receive with displeasure, but rather quickly and thoroughly understood, both because of the authority that the new teacher held over him, and because of the Christian faith, of which he was full, that it was right and proper for him to obey the will of God; therefore, the father openly and sincerely declared to his son that he was free to follow the path that God called him to.

Thus, when Bartholomew had made his decision, he doubled his diligence and skill in learning the sacred disciplines, and, just as he had embraced the path of virtue, he made greater and more joyful progress in it each day; and for this reason, after a few years, he was deemed worthy to be raised to the dignity of the priesthood. And when he first performed his duties as a priest, among those who were present at the ceremony, he appeared to be the most content of all, with a countenance and gaze that radiated joy; and among them was the father of the newly ordained priest, who, accustomed to abounding in magnificent and splendid things, and who was very eager to adorn the day of his son's happiness with some outward display, namely, with lavish feasts and other things.

[*Latin ed. p. 113*]

The Congregation of Rites, because of its very nature, had, as was customary, approved this [case]. But the son refused, and therefore, as was fitting, the father, instead of pursuing his own intended goal, devoted the entire sum of money, which was not insignificant, to the support and solace of the poor, and he gave it all away. Among other things, Venerable Bartholomew, being aware of the spiritual needs of the people, especially at that time, when they were in such great need of apostolic men, did

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everything in his power to acquire, within his means, all that was required for the preaching of the Gospel, and which would greatly contribute to his fruitful ministry. However, before he entered the field, he was endowed with a character comparison and instructed with the necessary qualities, so that the Lord, rich in mercy, abundantly blessed his endeavors, and his apostolic labors were so successful that the abundant and long-lasting harvests, which were collected throughout almost all of Italy, including this beloved city, were a testament to his work. These endeavors, undertaken by Venerable Bartholomew, occupied him not for five or ten years, but for a period of twenty-six years, which was the remainder of his life; yet he never relinquished his former zeal, and indeed, he constantly and increasingly aroused and strengthened his energies, never broken by any storm or disturbed by any event. These things, of course, would have been even better and more thoroughly documented if an ordinary investigation had been conducted; undoubtedly, the acquisitions would have been recorded in writing by judicial witnesses who had seen the Venerable Bartholomew's actions with their own eyes, and who had been partners and associates in his labors. However, since this was not possible due to just circumstances, it was necessary to rely on testimonies; and since the testimonies regarding the virtues, which were readily available from both the apostolic and ordinary processes, seemed rather meager, those who were assisting him, at his request and with the permission obtained from the Apostolic See, diligently sought out appropriate means. For this reason, this noble cause owes much to our Most Holy Lord Benedict XV. For it was he, while governing the Church of Bologna, who was entrusted with an inquiry by apostolic authority, and he diligently presided over the completion of the acts, which consisted of thirty sessions, and he moderated them with such skill that it was considered to have contributed greatly.

[*Latin ed. p. 114*]

114 Acta Apostolicae Sedis - In order to expedite the cause, and to ensure that it proceeds smoothly and successfully, so that it may, indeed, reach the stage of legal process, the matter, which had begun four years ago and had already manifested heroic virtues, was advanced further, after three discussions. Indeed, after two preparatory congregations, which preceded it, a general congregation followed, which was held on the seventh day of the preceding month of December, before the Most Holy Lord. In this, the Most Reverend Cardinal Victorio Amedeo Ranuzzi de Bianchi, the Relator of the cause, proposed the following question for discussion: Does it appear from the evidence that the venerable Servant of God, Bartholomew Mary Dal Monte, in the heroic degree, in the case and to the effect in question, possessed the theological virtues of Faith, Hope, and Charity, in God and in neighbor, as well as the cardinal virtues of Prudence, Justice, Fortitude, and Temperance, and their corresponding virtues? The Most Reverend Car-

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dinals and Consultors, each in turn, gave their votes, but with joyful and eager spirits, the Most Holy Lord, desiring to invoke the divine Wisdom more earnestly, decided to postpone his decretal judgment, and to reveal it later, choosing today, the Lord's Day of the Seventieth Week. Therefore, after a most devout Eucharistic Sacrifice, he ordered the Most Reverend Cardinals Anthony Vico, Bishop of Porto and Santa Rufina, Prefect of the Congregation of Sacred Rites, and Victorio Amedeo Ranuzzi de Bianchi, the Relator of the cause, together with the Reverend Father Angelo Mariani, the General Promoter of the Faith, and myself, together with the undersigned Secretary, to be summoned to the Vatican, and, in their presence, solemnly declared: That it appears from the evidence that the venerable Servant of God, Bartholomew Mary Dal Monte, in the heroic degree, in the case and to the effect in question, possessed the theological virtues of Faith, Hope, and Charity, in God and in neighbor, as well as the cardinal virtues of Prudence, Justice, Fortitude, and Temperance, and their corresponding virtues, so that the process may proceed to further stages, that is, to the discussion of the four miracles, in the case and to the effect in question. He ordered that this decree be made public and recorded in the acts of the Congregation of Sacred Rites on the tenth day before the Kalends of February, in the year 1921. A. CARD. VICO, Bishop of Porto and Santa Rufina, Prefect of the S. B. C. L. © S. Alexander Verde, Secretary.

[*Latin ed. p. 115*]

Diary of the Roman Curia 115. DIARY OF THE ROMAN CURIA. SACRED CONGREGATION OF RITES. Tuesday, January 11, 1921, in the Apostolic Palace, Vatican, the Ordinary Congregation of the Sacred Rites was held, in which, for the judgment of the Eminent and Reverend Lords Cardinals, members of the same, the following matters were presented: 1) Introduction of the Cause of Beatification and Canonization of the Servant of God, Mary Eustella Harpain, virgin, of the diocese of Saintes; 2) Resumption of the Cause of Canonization of the Blessed Imelda Lambertini, virgin of the Dominican Order; 3) Confirmation of the ancient and venerable cult rendered to the Servant of God, Dominic Spadafora, professed priest of the Order of Preachers, now declared Blessed; 4) Concerning the examination of the writings of the Servant of God, Catherine Jarrige, a tertiary of the Dominican Order; 5) Approval and granting of the Office and Mass in honor of the Blessed Oliver Plunket, Primate of Ireland and Archbishop of Armagh, martyr; 6) Similarly, of the Offices and Masses in honor of the Blessed Mary Magdalene Fontaine and three companions, Daughters of Charity, and of the Blessed Mary Clotilde Angela of St. Francis Borgia and her companions of Valenciennes, virgins and martyrs; 7) And also of the Office and Mass in honor of the Blessed Louise de Marillac, widow Le Gras, co-foundress of the Congregation of the Daughters of Charity; 8) And finally, of the Office and Mass in honor

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of the Blessed Anna Maria Taigi, mother of a family, a tertiary of the Order of the Discalced Trinitarians. Tuesday, January 25, 1921, in the Apostolic Palace, Vatican, with the participation of the Eminent and Reverend Lords Cardinals, and with the votes of the Reverend Prelates and theological consultants composing the Sacred Congregation of Rites, the Preparatory Congregation was held, to discuss the question concerning the heroic practice of the virtues exercised by the Servant of God, Teresa of the Child Jesus, professed nun of the Discalced Carmelites in the Monastery of Lisieux.

[*Latin ed. p. 116*]

116 Acta Apostolicae Sedis - Commentarium Officiale

SECRETARIATUS STATI

Per mandata Secretarii Statis, Sanctissimus Pater dignatus est nominare:

6 Ianuarii 1921.

D. Luigi Centoz, Notarius Secretarii Statis Sanctissimi, Auditor Nuntiaturae primae classis, ad Nuntiaturam Apostolicam Berolini destinatus.

9 » »

R.P. D. Valerio Valeri, Notarius in Sacra Congregatio Affariorum Ecclesiasticorum Extraordinariorum.

» » »

R.P. D. Bosio Riccardo Federici, Adjunctus in Archivo Sacrae Congregationis Affariorum Ecclesiasticorum Extraordinariorum.

22 » »

Eminentissimus et Reverendissimus D. Card. Raffaele Scapinelli, Membrum Sacrae Congregationis de Propaganda Fide.

» » »

D. Cesare Pecorari, Subsecretarius Sacrae Congregationis de Propaganda Fide.

23 » »

Eminentissimus et Reverendissimus D. Card. Pietro Gasparri, Protector Unionis Apostolicae Presbyterorum "secularium Sacri Cordis Iesu".

29 » »

Eminentissimus et Reverendissimus D. Card. Guglielmus Van Rossum, Protector Congregationis Missionariorum Sacri Cordis.

5 Februarii

D. Ugo Boncompagni Ludovisi, Vice-Camerlarius Sanctae Romanae Ecclesiae.

9 » »

Eminentissimus et Reverendissimus D. Card. Gennaro Granito Pig-

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natelli di Belmonte, Protector Religiosarum Mariae Auxiliatricis Parisiensis.

Per Brevia Apostolica, Sanctissimus Pater dignatus est nominare:

Protonotarius apostolicus ad instar participantium:

30 Decembris 1920.

D. Francesco Soleti, ex dioecesi Monopoli.

Praelati Domestici Sanctissimi:

11 Iulii 1920.

D. Philias Stanislao Garand, ex dioecesi Ogdensburg.

Octobrem

D. Giovanni Glavin, ex eadem dioecesi.

» »

D. Michele Looney, ex eadem dioecesi.

» »

D. Giovanni Slattery, ex eadem dioecesi.

[*Latin ed. p. 117*]

Diarium Romanae Curiae, November 11, 1920. Mons. Terenzio Giorgio Brady, of the Archdiocese of Dubuque. Mons. Giorgio Luigi Haxmeier, of the same Archdiocese. Mons. Michele Norton, of the same Archdiocese. December 18, 1920. Mons. Uberto Bovens, of the Diocese of Liegi. November 10. Mons. Daniele Lepercq, of the Diocese of Lilla. November 11. Mons. Giuseppe Ioseff, of the Diocese of Liegi. November 13. Mons. Ludovico Lamérand, of the same Diocese. November 29. Mons. Raffaele Beyls, of the Diocese of Gand. January 1, 1921. Mons. Antonio Crispino, of the Diocese of Policastro. January 9. Mons. Ludovico Kaas, of the Diocese of Treves. Mons. Eucherio Pasquinangeli, of the Diocese of Orte. January 12. Mons. Giovanni Mac Mahon, of the Diocese of Killaloe. January 14. Mons. Mario Chaillan, of the Archdiocese of Aix. Mons. Patrizio Francesco Marion, of the Apostolic Vicariate of North Carolina.

HONORS AND LICENSES: With Apostolic Briefs, the Holy Father deigned to bestow the following honors:

The Plaque of the Order of Saint Pius, January 12, 1921. To the Most Reverend Count Camillo Ruffin, Extraordinary Chamberlain of the Sword and Mantle of His Holiness.

The Plaque of the Order of Saint Gregory the Great, civil class: November 10, 1920. To the Honorable Paolo Lepercq Destailleurs, of the Diocese of Lilla.

The Commanderate of the Order of Saint Gregory the Great, civil class: October 19, 1920. To the Honorable Giuseppe C. Pelletier, of the Archdiocese of Boston. December 28. To the Honorable Marquis Umberto de Villardi de Montlaur, of the Diocese of Moulins. December 29. To the Honor-

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able Pietro Chigi, of the Archdiocese of Ravenna. January 12, 1921. To the Honorable Virgilio Ortenzi, of Rome. January 18. To the Honorable Andrea Torre, of the Archdiocese of Amalfi.

The Knighthood of the Order of Saint Gregory the Great, civil class: October 19, 1920. To the Honorable Edoardo Guglielmo Buckley, of the Archdiocese of Saint Paul in Minnesota. To the Honorable Daniele I. Callahan, of the Archdiocese of Baltimore.

[*Latin ed. p. 118*]

118 Acta Apostolicae Sedis - Official Commentary, October 19, 1920. To Mr. Martino H. Carmody, of the diocese of Grand-Rapids. To Mr. Guglielmo D. Dwyer, of the archdiocese of St. Paul in Minnesota. To Mr. Guglielmo I. Mac Ginley, of the archdiocese of New-York. To Mr. Giacomo I. Mac Grau, of the diocese of Oklahoma. To Mr. Giuseppe Scott, of the diocese of Los Angeles. To Mr. Giorgio Robert, of the archdiocese of Rouen. November 30th: To Mr. Romano Ludovico Sion-Arnould, of the diocese of Lilla. To Mr. Romano Emilio Blanckaert, of the same diocese. To Mr. Romano Flipo-Leclercq, of the same diocese. To Mr. Romano Roberto Fontaine, of the same diocese. To Mr. Romano Teotimo Gir, of the same diocese. December 28th: To Mr. Antonio Kreyenborg, of the archdiocese of Utrecht. To Mr. Alfonso Rincón Gallardo, Count de Regia, of the archdiocese of Mexico. December 29th: To Mr. Martino Madden, of the archdiocese of Quebec. January 2, 1921: To Mr. Federico Goeldlin de Tiefenao. January 14th: To Mr. Giovanni Van Dijk, of the diocese of Harlem. January 15th: To Mr. Enrico Boulard, of the archdiocese of Paris. The Order of St. Sylvester, conferred: December 27, 1920. To Mr. Knight Dr. Alfredo Ramoni, of Rome. January 9, 1921: To Mr. Alberto Frommer, of the diocese of Nice. January 15th: To Mr. Knight Carlo Petit, of the archdiocese of Paris. January 18th: To Mr. Enrico Bourguignon, of the diocese of Namur. To Mr. Knight Alfonso Romanini, of Rome. The Knighthood of the Order of St. Sylvester conferred: December 30, 1920. To Mr. Desiderio Panizzi, of the diocese of Ventimiglia. January 9, 1921: To Mr. Count Augusto de la Barre de Nanteuil. January 12th: To Mr. Enrico Heatley Leeming, of the diocese of Salford. January 14th: To Mr. Luciano Delahaye, of the archdiocese of Paris. To Mr. Giovanni Giuseppe Giacomo Van den Oudenhoven, of the diocese of Bois-le-Duc. January 18, 1921: To Mr. Achille Cavallotti, of the archdiocese of Turin.

[*Latin ed. p. 119*]

From the Roman Curia Diary, 119.

BY ORDER OF THE MAJORDOMO OF HIS HOLINESS.

Through the letters of His Eminence, the Reverend Monsignor, the Holy

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Father has deigned to appoint:

Secret Chamberlains, extraordinary, to His Holiness:

December 13, 1920. Monsignor Carlo Lucas, of the diocese of Liegi.

January 1, 1921. Monsignor Virgilio Valcelli, of Rome.

January 3, 1921. Monsignor Giovanni Gianombello, of the archdiocese of Turin.

January 8, 1921. Monsignor Corrado Lippert, of the diocese of Erbipoli.

January 12, 1921. Monsignor Francesco Andriulli, of the archdiocese of Acerenza.

January 12, 1921. Monsignor Domenico Antonio Gallucci, of the same archdiocese.

January 12, 1921. Monsignor Nicola Manna, of the same archdiocese.

January 12, 1921. Monsignor Filippo Scardovi, of the diocese of Faenza.

January 14, 1921. Monsignor Angelo Micheli, of the diocese of Parma.

January 19, 1921. Monsignor Vincenzo Postacchini, of Rome.

January 23, 1921. Monsignor Cesare Pizzirani, of the archdiocese of Bologna.

Secret Chamberlains of Sword and Mantle, extraordinary, to His Holiness:

December 18, 1920. The Most Noble Prince Carlo Gonzaga, of the archdiocese of Milan.

January 5, 1921. The Most Noble Marquis Claudio Leone Lagergren, of the archdiocese of Stockholm.

Honorary Chamberlains in Peacock Blue, to His Holiness:

January 7, 1921. Monsignor Emilio Caiola, of the diocese of Mantova.

January 12, 1921. Monsignor Ranieri Barnini, of the diocese of S. Miniato.

Honorary Chamberlains of Sword and Mantle, extraordinary, to His Holiness:

January 5, 1921. The Reverend Doctor Piero Bassetti, of the diocese of Forlì.

January 18, 1921. The Reverend Doctor Giovanni Torre, of the archdiocese of Naples.

[*Latin ed. p. 120*]

120 Acta Apostolicae Sedis - Official Commentary. NECROLOGY. November 26, 1920. Most Reverend Mark Chatagnon, titular Bishop of Chersonesus, Apostolic Vicar of Southern Se-ciuen (China). December 31. Most Reverend Anthony Sabatucci, titular Archbishop of Antinoe, General Auditor of the Sacred Apostolic Chamber. January 18, 1921. The Most Reverend Cardinal Filippo Camassei. January 25. Most Reverend Rudolph Caroli, titular Archbishop of Tyre, Apostolic Nuncio in Bolivia. January 31.

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Most Reverend Frederick Knecht, titular Bishop of Nebo, Suffragan of the Archbishop of Friburgo. February 1. Most Reverend Paul Padilla y Barcena, Bishop of Tucuman (Argentina). February 1. Most Reverend Celestino Soza, Bishop of La Paz. February 1. Most Reverend Thomas Whiteside, Archbishop of Liverpool. February 2. The Most Reverend Cardinal Andrea Ferrari, Archbishop of Milan. February 3. Most Reverend Simon Pereira y Castellón, Bishop of León (Republic of Nicaragua). February 3. Most Reverend Felix Augustus Béguinot, Bishop of Nîmes.

[*Latin ed. p. 121*]

Year XIII - Vol. XIII, March 11, 1921, No. 4

OFFICIAL COMMENTARY OF THE SUPREME SEAT

SACRED CONGREGATION, FIFTEENTH

On March 7, 1921, a secret Consistory was held in the Apostolic Palace at the Vatican, whose acts are reported in order:

I. – CHOICE OF TITLE

The Most Eminent and Reverend Lord Peter, Cardinal of the Sacred Roman Church, Gasparri, acting on behalf of and for the Most Eminent and Reverend Lord Peter, Cardinal La Fontaine, Patriarch of Venice, having relinquished the title of the Saints Nereus and Achilles, chose the title of the Twelve Apostles.

II. – ADDRESS OF HIS HOLINESS, POPE BENEDICT XV

VENERABLE BROTHERS

It is with great joy that we see you assembled before us, with whom we can consult concerning the affairs of the Holy Church and the souls, which are of the greatest concern to Us. And may we bring to this most distinguished gathering pleasant and joyful news: but we are prevented by sadness, for the fury of war has not yet completely subsided, and civil unrest and conflicts among peoples continue, causing us great concern. We remember that in Our ACTA, Vol. XIII, No. 4,

[*Latin ed. p. 122*]

122 Acta Apostolicae Sedis - Commentarium Officiale partium, nullam adhuc occasionem praetermisimus, quantum in nobis erat, laborandi ut in possessionem pacis et tranquillitatis rediret humana societas; quam tranquillitatem pluries illa sibi, saeculis anteactis, Ecclesiae obtemperando,

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peperisset. Itaque, natali septingentésimo Tertii Ordinis Franciscalium appetente, nuper orbem catholicum ad illud et abstinentiae et caritatis christianae studium hortati sumus, quo Assisiensis Patriarcha incensus, cum homines a terrenarum rerum amore ad caelestia traduceret, tam opportunam aetatis suae malis medicinam adhibuerat. Etenim numquam fortasse hae hortationes tam opus fuerunt quam hodie, cum, ex ea belli dimicatione vix emersum, cupiditatum ardoribus et partium contentionibus misere conflictatur genus humanum; cumque, nisi ad christiana instituta renovetur vita singulorum, admodum difficile erit ethnici spiritus, longe lateque fluentem, remorari, quominus omnem consuetudinem civilem omnesque privatorum mores inficiat. Quod si, pactione facta, belligerari debet, non tamen vera pax mundo illuxit, nec quicquam in convictu domestico, in societate civili, in exterisque populorum rationibus magis desideratur quam, fraternae hominum necessitudini christianaeque coniunctioni consentanea, ordinis tranquillitas. Videmus, addictos acerrime contrariis partibus, cives cum civibus ad eadem saepe confligere; videmus gentes, sub uno eodemque caelo natas et educatas, de communi possessione soli armis disputando, aeternas inter se iacere semina discordiarum; ad haec, veteres quarundam nationum simultates erumpere in violentiam immanitatemque facinorum, quae quidem cum legibus morum atque humanitatis male cohaerent, quaeque Nos, undecumque fiant, improbamus. Iam vero consentiunt omnes conventa hominum vel consultissimorum, quantumvis elaborata ad conficiendam pacem, permansura quidem, ut civilis prudentiae documentum, in scriptis, non vero gentium pervasura animos, nec...

[*Latin ed. p. 123*]

The acts of Pope Benedict XV, paragraph 123: ”Laws, if they are to have force and any utility whatsoever, must be established upon the foundations of justice and equity; and furthermore, the customs and institutions of peoples must be conformed to Christian principles, which have banished the shame of paganism from civil life, and whose virtue wonderfully manifested itself in the times of Saint Francis. Indeed, if desires are restrained by virtue, there exists in each individual that innermost order upon which the very organization of human society rests; and from fraternal charity, if, as befits Christians, the classes among citizens and the people themselves cultivate it no less than justice, mutual trust will flourish, which is the best means of preserving and confirming peace. That, by divine grace, the renewal of Christian morals may occur as soon as possible, and that, through this very thing, the world may long enjoy tranquility, We pray and beseech, hoping meanwhile that the secular celebration, which We have mentioned, may hasten the desired time by spreading the spirit of Saint Francis. Now, venerable brothers, before We proceed to the co-option of Bishops, We have decided to admit six distinguished men into your hon-

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orable Order. These are: FRANCISCUS RAGONESI, titular Archbishop of Myra, Our Apostolic Nuncio in Spain; MICHAEL DE FAULHABER, Archbishop of Munich and Freising; DIONYSIUS DOUGHERTY, Archbishop of Philadelphia; IOANNES BENLLOCH Y VIVÓ, FRANCISCUS ASSISIENSIS, Archbishop of Burgos; VIDAL Y BARRAQUER, Archbishop of Tarragona; CAROLUS IOSEPHUS SCHULTE, Archbishop of Cologne. What do you think?"

[*Latin ed. p. 124*]

124 Acta Apostolicae Sedis - Official Commentary. And therefore, by the authority of Almighty God, of the holy Apostles Peter and Paul, and by Our own authority, We create and declare the following Cardinals of the Holy Roman Church, from the ORDER OF PRESBYTERS: FRANCISCUM RAGONESI, MICHAELEM DE DIONYSIUM DOUGHERTY, FAULHABER, IOANNEM BENLLOCH Y VIVÓ, FRANCISCUM ASSISIENSEM VIDAL Y BARRAQUER, CAROLUM IOSEPHUM SCHULTE. With the dispensations, derogations, and clauses necessary and opportune. In the name of the Father, and the Son, and the Holy Spirit. Amen. Furthermore, that We may supply the Order of Venerable Brothers Bishops, the following: His Most Blessed Father has provided for the following churches, namely: To the metropolitan church of Cardiff, He appointed Mostyn, hitherto Bishop of Menevia. To the titular archiepiscopal church of Laodicea, R. P. D. Franciscus, R. P. D. Franciscus Moretti, hitherto Bishop of Interamna and Narni. To the metropolitan church of Linares, R. P. D. Ioannema Iesu Herrera y Pina, hitherto Bishop of Tulancingo. To the metropolitan church of Granada, R. P. D. Vincentium y Marzol, hitherto Bishop of Almeria. To the cathedral churches of Luni, Sarzana, and Brugnato, mutually and perpetually united, R. P. D. Bernardum Pizzorno, hitherto titular Bishop of Flaviopolitanum. To the cathedral church of Orense, R. D. Florencium canonicum magistralem Tudensem. Cervino y Gonzales.

[*Latin ed. p. 125*]

The acts of Pope Benedict XV: To the titular bishop of the church of Bubastos, 125. The Reverend Louis Hugo, rector of the Seminary of Spires, is appointed as coadjutor bishop to the Bishop of Mogunt, with the right of succession. To the titular bishop of the church of Gestren, the Reverend John Scheiffes, canon of the cathedral church of Muenster, is appointed as auxiliary bishop to the same Bishop of Muenster. Furthermore, Our Most Holy Lord also publicly announced other prelates who had already resigned through Apostolic Letters bearing the papal seal, namely: ARCHBISHOPS: Of Pelusium, Francis-Regis Canevin, who was already Bishop of Pittsburgh. Of Antinoë, Angel Paino, who was already Bishop of Lipari. Of Leontopolis, Andrea Cassulo, who was already Bishop of Fabriano and Matelica. Of Smyrna, John Baptist Frederick Vallega. BISHOPS: Of Jaca,

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Salvatore Bella, who was already Bishop of Fodi. Of Gunée, Joseph Castelli, who was already Bishop of Segusio. Of Tacámbaro, Leopold Demetriades. Of David, Le Andrapan. Of Maximilian, Tricarico. Of Achilles, Lara. Of Cadre. Novelli, who was already Bishop of Colle di Val d'Elsa.

His Holiness, Pope Pius XI. CARDINALS ARE ADORNED WITH THE RED GALAHO. On March 10, 1921, a public Consistory was held in the Apostolic Palace at the Vatican, in which Our Most Holy Lord adorned with the red galero the Cardinals created on March 7, 1921, namely: Michael de Faulhaber, Dionysius Dougherty, and Charles Joseph Schulte.

[*Latin ed. p. 126*]

126 Acta Apostolicae Sedis - Official Commentary II. - PROVISIONS FOR CHURCHES. On the same day, in a secret Consistory, the Most Blessed Father provided for the following churches with their own pastors, namely: To the titular archiepiscopal church of Saint Benedict, the Reverend Father Peter, Prefect of the Society of the Most Sacred Heart of Jesus Missionaries, General Assistant, and Parochial Vicar of the church of the Most Sacred Heart in the city, for the souls being purged in Purgatory. To the metropolitan church of Olmütz, the Reverend Father Anthony Cyril Stojan, Canon of the same metropolitan church. To the metropolitan church of Saint Joseph of Costa Rica, the Reverend Father Othon Raphael Castro, Theological Canon of the same archdiocese. To the cathedral church of Alajuela, the Reverend Father Anthony Monestel, formerly the titular Bishop of Soren. To the cathedral church of Wichita, the Reverend Father August I. Schwertner, Chancellor of the Curia of the diocese of Toledo in America. To the cathedral church of Amiens, the Reverend Father Charles Le Comte, General Vicar of Lille. To the cathedral church of Oporto, the Reverend Father Aloysius Gumy, of the Order of the Capuchin Minor Friars. To the titular episcopal church of Azotus, the Reverend Father Giles De Boeck, Apostolic Vicar of New Antwerp. To the titular episcopal church of Catania, the Reverend Father Martin Chiolino, of the Milanese Society of Missionaries to Foreign Lands, and Apostolic Vicar of Northern Ho-nan. III. - TITLES ASSIGNED TO CARDINALS. Then the Most Blessed Father assigned the following titles: To the Reverend Cardinal Dougherty, the title of Saint Anastasia. To the Reverend Cardinal Schulte, the title of Saints Nereus and Achilles. To the Reverend Cardinal De Faulhaber, the title of Saints Four Crowned. IV. - REQUEST AND GRANT OF SACRED PALLIA. Finally, the Most Blessed Father granted the sacred Pallia to the following churches: Cardiff, Saint Joseph of Smyrna, Costa Rica, De Linares, Granada, Olmütz, Saint John.

[*Latin ed. p. 127*]

Acta Benedicti PP. XV, 127. EPISTOLAE I. Ad Desideratum, S. R. E. Gard. Mercier, Archiepiscopum Mechliniensem, ceterosque Belgariorum Episco-

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pos, "Flandriae". Nonnulla animo quae quibus, occasione ad religionem pertinenti, paterno inculcat.

Dilecte filii Nostri et venerabiles fratres, salutem et apostolicam benedictionem. Cum semper, ut ipsi probe nostis, tum immani bello saeviente tum pace Versaliensi confecta, paternam Nos curam sollicitudinemque de Belgarum rebus adhibuerimus, immortales sane grates datori bonorum omnium Deo agimus qui Nobis videre concesserit quemadmodum patria vestra, per alacri quidem civium cuiusvis ordinis virtute atque sollertia, ad pristinae iam prosperitatis spem feliciter revirescat. Verum tamen id vos latere nolumus, venerabiles fratres, non parum Nos commoveri, allatis istinc rumoribus dissensionum, ob eam, quae iam diu agitatur, "Quaestionem Flandricam". Difficilis profecto quaestio atque plura complectens; de cuius expediendae ratione, utrinque, ipsi qui sunt eiusdem partis inter se non consentiunt. Nos igitur, ea tantum hic attingemus quae ad religionem pertinent, propositam nimirum Nobis habentes, uti debemus, animarum utilitatem. Similiter predecessor Noster, f. r. Leo XIII, die xx augusti MCMI, ad Episcopos Bohemiae et Moraviae scribens, de dissensionibus inter eos populos ortis linguarum causa, professus est se nolle eas controversias participare; verum, pro apostolico officio, cavere velle ne quid religio inde caperet detrimenti. "Nobis quidem," sic ille, "a dirimendis 'de hac re controversiis abstinere decretum est. Profecto sermonis 'patriae tuitio, si certos intra fines consistit, reprehensionem non habet; 'quod tamen de ceteris privatorum iuribus valet, valere hic etiam 'tenendum est, ne quid ex eorum prosecutione communis utilitas 'patiatur. Est igitur eorum qui publicam rem administrant, sic, aequalitate incolumi, velle integra singulorum iura, ut communetamen civitatis bonum stat atque vigeat. Quod ad Nos attinet, monet officium 'cavere sedulo, ne ex eiusmodi controversiis periclitetur religio, quae 'princeps est animarum bonorum ceterorumque bonorum origo."

[*Latin ed. p. 128*]

128 Acts of the Apostolic See - Official Commentary. We are indeed, venerable brothers, deeply concerned, and for the same reason we are moved to write; for there is danger that such controversies may loosen the bonds of charity between citizens, or that the concord, by which small things grow, may be weakened, without which great things will fall; and above all, that the clergy may lose something of their dignity and the efficacy of their ministry, if they become embroiled in these discussions with immoderate contention. Indeed, how the clergy ought to conduct themselves, not only in these matters but also in others, is evident from the words of the Apostles, in which the duties of the priesthood are admirably outlined: "For every high priest taken from among men is ordained for men in the things that appertain to God, that he may offer up gifts and sacrifices for sins" (Hebrews 5:1). From these words it is clear that the offices of the priesthood

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are plainly divine; and therefore, the authority of his ministry ought not to be subjected to worldly affairs; and although the clergy are not forbidden to enjoy civil rights, as are other citizens, nevertheless, they must never allow the use of such rights to hinder the efficacy of their sacred ministry. Moreover, if the priestly action must always be conformed to this norm in time and place, then especially must it be so when instructing the people in Christian wisdom, either by teaching or by preaching. Therefore, it is your duty, venerable brothers, to see to it that the clergy, in the instruction of youth, to which they are bound by the conscience of their office, conform themselves to the supernatural, so that they may readily be recognized by all as men of God. And that the priest may receive abundant fruit from his labor, which is to be hoped for, let him be instructed in all things that are required by the times, and in all things that make him pleasing and acceptable to his disciples; and above all, let him possess a good command of language, which is used by the various classes of people with whom he must communicate in the exercise of his office; otherwise, as is evident, it would be impossible to exercise his ministry. With regard to the sacred preaching, let the priests explain the doctrine of faith and morals, and let them never treat anything as foreign to their own supernatural office, but always show the gravity that is due to the proclamation of the divine word. In this matter, let those prescriptions be brought into use, if perchance they have been forgotten, which were published by the Most Holy Congregation of the Consistory on June 28, 1917, and which have been incorporated into the Code of Canon Law, in order to carry out what We commanded through Our Encyclical Letters Humani generis redemptionem. As for the faculty of publishing writings by means of the printing press, since it has grown to a remarkable extent and its power is very great, since error as well as truth can be spread with incredible speed, therefore We wish to observe with religious care what has been established in this regard.

[*Latin ed. p. 129*]

The acts of Pope Benedict XV, dated November 13, 1386, in the Code of Canon Law, prohibit clerics, without the consent of their Ordinaries, from publishing books that treat of profane matters, and from writing or moderating in journals, pamphlets, or periodicals. Now, since those who are to minister at the sacred altars are nurtured in seminaries, it should be your primary concern, venerable brothers, that the seminaries truly contribute to that purpose for which they were established; therefore, diligent effort must be given to ensure that no access is granted to writings that might introduce turmoil into those sacred places, or that might incite civil strife, or that might distract from the worship of piety and the pursuit of the best studies. Therefore, as our predecessor, Leo XI, urges in that letter which we mentioned, "see to it that the students of the seminaries learn in due time the love of fraternity, to love one another with a simple heart; for they

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are born anew, not of 'a corruptible seed, but of the living word of God'..." Furthermore, restrain with firmness any disturbances of morals, and do not tolerate any agreement that might allow them to flourish; so that those who are destined for the clergy, if they cannot be of one mind in origin, at least may have one heart and one soul. Moreover, the clergy will certainly fulfill their divine office without any doubt, if in their way of thinking and acting they follow the example of the sacred pastors obediently. Certainly, there is nothing more to mention here on this subject, since these things are well known; and we have spoken of them more fully in the Encyclical Letters *Ad beatissimi Apostolorum Principis*, which we issued at the beginning of our pontificate to the entire Catholic world: just as the Roman Pontiff is the supreme teacher of the entire Church, so too are the bishops the pastors of particular churches; therefore, all the faithful, and especially the priests, must obey and submit to them. Is it not, therefore, cruel to add to the burdens and anxieties of bishops who, in these sad times, are exercising their pastoral ministry, by refusing them the obedience that is due to them? But what we have said so far about your clergy pertains especially to the regular clergy, who, being bound by a special law to strive for the summit of perfect virtue, must abstain from all that might possibly divert them from that noble purpose. Therefore, let both branches of the clergy follow your counsel; in this way, closely united with you, they will be able to carry out the fruitful work of the apostolate among the people, strengthening the concord of all orders, especially now that the entire nation of the Belgians, having regained its freedom, has brought so much glory and prosperity to your homeland. And let the people, following the example of the clergy, follow the same sentiments of mind, avoiding all bitterness of words, which, besides offending the divine law, are also contrary to heartfelt charity.

[*Latin ed. p. 130*]

130 Acta Apostolicae Sedis - Official Commentary. We wished to signify this to you, venerable brothers, solely concerned with the salvation of Our sons, and especially of the priests, whom you have as helpers in your ministry. Therefore, lifting our eyes to heaven, We desire to repeat to them all the words of our Lord Jesus: "Father, holy thou, keep them in thy name, those whom thou hast given me... Father, sanctify them in truth" (John, XVII, 11, 17). Since We possess so much heavenly power to will and accomplish good, We earnestly pray to God that He may favorably assist your pastoral care and make your clergy a strong instrument for His glory. As a pledge of these heavenly favors and also of Our special benevolence, We impart to you, beloved sons and venerable brothers, and to the entire flock, the apostolic blessing, with a willing and generous heart. Given in Rome, near the blessed Peter, on the tenth day of the month of February, in the year 1921, in the seventh year of Our pontificate. BENEDICT XV. TO THE REVEREND FATHER ARNALD, GENERAL, OF THE FIRST ORDER,

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OF THE THIRD ORDER REGULAR OF SAINT FRANCIS. Beloved son, greetings and the apostolic blessing. The sacred solemnities of the Third Order, instituted seven centuries ago for penance, about which We recently addressed an encyclical letter to the Catholic world, are rightly observed by the entire fraternity of the Tertiaries; and there is a particular reason why they should be celebrated by that religious family under your direction. For, as many documents of this Apostolic See declare, there is no difference between the Third Order and your Order, either in origin or in rule or in name, except that you have added the solemn observance of three vows to the institute founded by Father Francis. Thus, having entered this path, you have been instructed to continue on it, so that, as an example to the other members of the Third Order who remain involved in worldly affairs and concerns, you may strive for Christian perfection, and lead them as guides in the pursuit of eternal salvation. We know that you have not failed in this office, and that for a long time this Order has flourished admirably, both in number and in the praise of discipline.

[*Latin ed. p. 131*]

From the Acts of Pope Benedict XV, 131 and following, because of what He had received, from a great change in worldly affairs, He lay for some time weakened by wounds; We rejoice that He is now roused and rejects all worldly pursuits; and We gladly understood this last August, when We received you, new Superior of the Order, beloved son, and the leading members of your Society, before Us. Now, desiring the secular solemnity which We mentioned, We wish to seize the opportunity presented to us, to testify to Our paternal benevolence towards you all, and at the same time to encourage your industry. Therefore, whatever We have granted in the encyclical letter, which We mentioned above, to the General Ministers of the "three Franciscan families" of the First Order, at their earnest request, concerning the treasure of Holy Church, We grant it also to you, with a willing heart. Therefore, in all the sacred buildings of your family, where the Societies of the Third Order are legitimately established, there shall be a supplication in a triduum for this solemnity, on the 16th of April of the coming year, for the entire year; on each of those days, the members of the Third Order shall receive the usual benefits; and others shall receive, under the usual conditions, a plenary remission of sins once; and those who, there, sorrowful for their sins, visit the august sacrament, shall receive an indulgence of seven years, as often as they approach; all the altars of those buildings shall be privileged during those days; and during that same triduum, it shall be permissible for any priest to celebrate the Mass of St. Francis, as a votive Mass for a grave and public cause, observing the general rubrics of the Roman Missal, as presented in its latest Vatican edition; finally, all priests attached to those same buildings may, during those same days, enrich the apostolic indulgences by blessing rosaries, medals, and

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similar objects, as well as by blessing the rosaries of the Crusaders and of Saint Bridget. We hope that this commemoration of Our origins will bring you great blessings; and We desire that all those of both sexes who are bound by the simple vows of the Franciscan Third Order, may embrace your institution, which is so closely related to it, and may join with you as one body, healthy and flourishing. We bestow upon you, beloved son, and upon all your members, Our apostolic blessing, as a pledge of divine graces and a testament to Our paternal charity. Given at Rome, near the Holy Peter, on the 20th day of February, 1921, in the seventh year of Our Pontificate. BENEDICT XV.

[*Latin ed. p. 132*]

13. Acta Apostolicae Sedis - Official Commentary. ACTA OF THE HOLY CONGREGATIONS. SACRED CONSISTORY CONGREGATION.

I. OF THE EXCHANGE OF TERRITORIES BETWEEN THE DIOCESES OF PADERBORN AND MÜNSTER.

His Holiness, Pope Benedict XV, by the decree of the Sacred Consistory of February 3, 1921, has decided that the properties belonging to Wenceslaus Havelt shall be separated from the parish of Beelen in the diocese of Münster, and permanently and in all respects assigned to the parish of Clarholz in the diocese of Paderborn.

II. DECREE CONCERNING THE SEPARATION AND UNION OF MARIANNA-ATERRADEN.

Recently, a request was made that the municipalities commonly known as Bom-Despacho and Santo Antonio do Monte, which are presently part of the Archdiocese of Marianna, be united with the diocese of Aterraden. After the aforementioned request had been subjected to careful examination by the Fathers of this Sacred Consistory Congregation, and after it was deemed that it would be for the good of souls to separate the aforementioned municipalities from the Archdiocese of Marianna and to add them to the Church of Aterraden, His Holiness, Pope Benedict XV, deemed it fitting to grant assent to the request. Therefore, by the present Consistory Decree, the aforementioned municipalities of Bom-Despacho and Santo Antonio do Monte are separated from the Archdiocese of Marianna and incorporated into the diocese of Aterraden. Furthermore, to carry out these matters, the Reverend Father Henry Gasparri, the Apostolic Nuncio to the Brazilian Republic, the Archbishop of Sebastes, is appointed, and he is granted the necessary and appropriate powers, including the power to delegate, to effect the aforementioned purpose, to any person within the

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Church.

[*Latin ed. p. 133*]

The Sacred Congregation, established with the highest dignity, having been charged with sending, within six months, to this Sacred Congregation, counted from the present date, an authentic copy of the execution completed, this shall be valid as if Apostolic Letters, sealed with the papal seal, had been issued. Notwithstanding any contrary provisions. Given in Rome, from the offices of the Sacred Congregation, on the 22nd of February, 1921. C. CARD. DE LAI, Bishop of Sabina, Secretary. L. £B S Aloysius Sincero, Assessor III.

DECREE OF THE CATHEDRAL CHURCH OF THE DIOCESE OF QUERETARO.

Erected by Apostolic Letters to the most high God on the 26th of January, 1862, the episcopal see of the diocese of Queretaro was previously located in the parish church of St. James the Apostle the Greater of that city, then in the temple of St. Francis, and finally, for a time, in the church of the Congregation of St. Mary of Guadalupe. From the very beginning, there has indeed been a desire to build a new Cathedral Church on a new foundation; but it has never been possible to achieve this, nor is there any hope that the diocese will be able to achieve it in the near future. Therefore, the Reverend Father Franciscus Banegas, the present Bishop of Queretaro, with the favorable consent of his Chapter, presented supplications to His Holiness, Pope Benedict XV, that the same episcopal see, under the same title of St. James the Apostle the Greater, might no longer be located temporarily, but in a permanent manner, be transferred and established in the church of St. Philip Neri of the same city, since it surpasses all other churches in size and ornamentation, and since, with the extinction of the Oratorian Fathers, it is today free and subject to the jurisdiction of the diocesan Ordinary, preserving the rights of the Holy See. To these supplications, His Holiness has deigned to respond with benevolence. Therefore, by this Consistorial Decree, which shall be valid as if Apostolic Letters, sealed with the papal seal, had been issued, the episcopal see and Chapter, under the same title of St. James the Apostle the Greater, are hereby transferred, in a permanent manner, to the church of St. Philip Neri, with all rights, privileges, and indulgences, which belong to Cathedrals.

[*Latin ed. p. 134*]

134 Acta Apostolicae Sedis – The official records pertain to the churches in the Republic of Mexico, and how they have thus far been particularly assigned to the diocese of Queretaro. Notwithstanding any contrary matters. Given in Rome, from the offices of the Sacred Congregation of the Consistory, on the 1st of March, 1921. C. CARD. DE LAI, Bishop of Sabina,

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Secretary. h. $ S. Aloysius Sincero, Assistant. IV CONCERNING THE FACULTIES OF ORDINARIANS. When Most Reverend Ordinaries present petitions to the Sacred Congregations, requesting that special faculties be granted to them, according to formulas previously provided by the Sacred Congregation of Propaganda Fide, they are declared that the definitive norm on this matter will be established and notified in due time. In the meantime, Most Reverend Ordinaries should know that the faculties which were granted during the war by the Sacred Congregation of the Consistory, by decrees of the 25th of April, 1918, and the 2nd of August of the same year, are still in effect. Given in Rome, from the offices of the Sacred Congregation of the Consistory, on the 7th of March, 1921. C. CARD. DE LAI, Bishop of Sabina, Secretary. L. J$ S. Aloysius Sincero, Assistant. V FOR INFORMATION CONCERNING SAC. PHILIPPUM G-NAM. The Bishop of Londonensis (Canada), by virtue of special faculties granted by the Holy See through the Most Reverend Apostolic Delegate, has absolved from censures in the external forum, Sac. Philippum G-Nam of that diocese, who had been specifically and personally excommunicated and declared to be avoided by a decree of the Consistory of the 14th of May, 1914. Given in Rome, from the offices of the Sacred Congregation, on the 5th of March, 1921. j$| C. CARD. DE LAI, Bishop of Sabina, Secretary. L. © S. Aloysius Sincero, Assistant.

[*Latin ed. p. 135*]

SACRED CONGREGATION CONSISTORY 135 VI. DESIGNATION OF AN ORDINARY. • • • APPOINTMENT ACCORDING TO CANON 1594, § 2. According to canon 1594, § 2, of the Code of Canon Law, concerning appointments: The Most Reverend Archbishop of Rouen designated the Ordinary of Évreux. This designation was deigned to be approved by the Most Holy Father, Pope Benedict XV. Given in Rome, from the offices of the Sacred Congregation Consistory, on the 18th of February, 1921.

SACRED CONGREGATION OF THE COUNCIL OF CORRIENTES. JURISDICTION. On the 13th of November, 1920 – The Bishop of Corrientes, in the Republic of Argentina, proposed a solution to a doubt concerning the dependence of the Conferences of Saint Vincent de Paul on the authority of the Ordinary, through letters dated the 8th of September, 1919; the content of the letters is as follows:

STATEMENT OF THE CASE.

"From what is contained in Book II of the Code, Part 3, Titles XVIII and XIX, the right is granted to the Ordinaries of places to approve or permit the erection or constitution of associations of the faithful, according to their diverse nature; and to regulate or, at least, to inspect and approve their governance and administration, among other things; and always respect-

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ing what is reserved to the Apostolic See by the precepts of the law, as well as religious matters granted by Apostolic Indult.

"Among the praised associations, the society commonly called the Conferences of Saint Vincent de Paul holds a place, which has been present in this Diocese for several years, among others, for assisting the poor. However, it is maintained that this [society] is not subject to the aforementioned praised precepts of the Supreme Moderator thereof for the entire jurisdiction of Argentina – residing in the Metropolis.

[*Latin ed. p. 136*]

136. The Apostolic Commentary, Official Edition: "Nor is [the Society] subject to the jurisdiction and authority of the Ordinaries, according to the canons, since it is a lay society. Therefore, the Bishop, in the action and administration of this same Society – which, according to canon 707, appears to be a 'Pia Unio' [a pious union] – is hindered from applying appropriate means of correction, considering certain discrepancies, errors, and things contrary to morals and religion, even harmful ones; therefore, the Most Reverend Eminence is petitioned to declare: 'To what extent is the aforementioned Society of St. Vincent de Paul subject to the authority of the local Ordinary, according to what is prescribed in Book II, Part 3, Titles XVIII and XIX of the [Code of] Canon Law?'

OPINION OF THE CONSULTOR. – Considering the general form under which the question is proposed, and since in the specific case only 'certain discrepancies, errors, and things contrary to morals and religion' are mentioned, without describing their specific nature, it seems appropriate, for the purpose of clarification, to outline the legal status of the Vincentian Conferences, or the Society of St. Vincent de Paul, both in general and in particular with regard to the Vincentian Conferences in the Republic of Argentina.

A) – The legal condition of the Conferences in general.

I. IN FACT. – The Society of St. Vincent de Paul, as is known, was founded by Frederick Ozanam in 1833. That illustrious man, still young, joined with other Catholic young men in friendship and society for literary and philosophical purposes, and felt a certain divine impulse to actively cooperate in remedying the great evils that afflicted society at that time, especially through the exercise of Christian charity and works of mercy, both corporal and spiritual, in favor of the poor, venerating Christ in their person. Thus, they formed a society among themselves, and the first Conference, so-called, was established under the heavenly patronage of St. Vincent de Paul, whose examples encouraged them to exercise these works of mercy with a supernatural spirit. At first, they visited the poor in their homes to alleviate their corporal miseries, thus preparing a way to address the more urgent spiritual miseries (Manuel de la Société de St-Vincent de Paul, page 184).

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This undertaking had a happy success; the society spread wonderfully, first in France, then in many other nations, and gradually encompassed all the works that, according to the condition and needs of each region, would serve to fulfill the proposed purpose of alleviating the miseries of the poor, both corporal and spiritual. These works of Christian charity, 80 Fathers, who in

[*Latin ed. p. 137*]

The Holy Congregation of the Council, having considered the proposal presented to the Vatican Council, in which it was requested that the aforementioned Society be praised and commended by the Council itself, responded in brief as follows: "This Society, formed primarily from the lay order, considers the most noble men and the best young men of cities and towns to be within its embrace, and it is already widely spread throughout the entire world, and it has produced abundant fruits from day to day, which it would be superfluous to enumerate here. Scarcely does any material need exist that it does not address, nor any affliction of the soul that it does not alleviate. For these men frequently and regularly visit the poor, nourishing them with a double sustenance of bread and consolation; they attend to the sick, providing them with salutary remedies; they place the elderly in hospices and orphans in orphanages; they educate artisans and workers, and they protect the younger ones who are apprenticed in workshops from bad examples; they spread excellent books throughout homes and families, and they improve marriages that are merely civil; thus, from this institution, wonderful benefits flow forth in the Christian republic, and many are saved who, without this help, would have perished." (Collectio Lacensis, vol. VII, col. 901). The rapid growth of the Society necessitated the drafting of statutes and the creation of a constitution, carefully structured like that of an organic body. The statutes were established by the members themselves, and the organization was established through Conferences, which are mostly distributed within parishes, through particular or regional Councils, and through a General Council, by which the entire Society is governed. However, approval from ecclesiastical authority was never required for the statutes, nor for the internal organization, and no particular Conferences have ever been established by an act of a superior ecclesiastical authority, or at least without its prior approval; rather, the Conferences were established by a private agreement of pious faithful who gathered together to carry out these exceptional works of charity, and they are incorporated into the Society through admission made by the General Council. Thus, it arose and spread as a lay society, i.e., not an ecclesiastical society, or one that does not have its existence from the act of ecclesiastical authority, just as lay hospitals are (which is not the same as excluding a pious and entirely religious purpose) and ecclesiastical hospitals, both being works of piety; but the former are not established by ecclesiastical authority

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and therefore do not have legal personality within the Church, while the latter do have such an establishment and, from that, a legal personality (Cf. Cod., can. 1489 § 1). Organized as a society in the canonical sense, but not an ecclesiastical one, it has enjoyed the favor of the Church: all the Bishops have competed to praise it with the highest commendations; the parish priests have found in it a most important aid in the regeneration of their parishes; the Roman Pontiffs have praised and fostered it, and finally, they have endowed it with numerous indulgences. These indulgences were granted, ACTA, vol. XIII, a. i. — 11-3-9.2L 10.

[*Latin ed. p. 138*]

138 Acta Apostolicae Sedis - Commentarium Officiale. Regarding any independent society, whether erected or approved, ecclesiastical authority attends solely to the works of charity with which it is concerned. Thus, Gregory XVI, in the Bull *Romanum Pontificem*, dated January 10, 1845, grants indulgences to "Councils or Conferences, which are established with the approval of the General Council (without any mention being made of the erection or approval of ecclesiastical authority), or by the same, or by particular Councils of Cities or Provinces already established by him." - Subsequently, in another Bull dated August 12, 1845, he granted indulgences to those persons who support the aforementioned Society with their alms. Indeed, the Roman Pontiffs desired that the Society retain its character as a lay, humble, and charitable organization, not subject to the state, namely Gregory XVI and Pius IX: "who considered it a good thing that it should take on the character of a LAY WORK, HUMBLE AID TO THE CLERGY, NOT SUBJECT TO THE STATE, and they judged that, constituted in this way, it could serve usefully for the interests of religion" (Life of Ozanam, written by his canon brother: Italian version, p. 109). For it was easily understood that "the union of spirits would be immediately broken if each bishop were to organize the conferences of his diocese and compile their regulations in the way he considered most convenient" (Ibidem). Thus, the Society never sought to have a legal personality within the Church; on the contrary, it sought to obtain recognition from civil authority, in order to be capable of receiving legacies and other donations, without which it could not undertake the great work of regenerating the poor classes, with the fruit that has been achieved. And in fact, it obtained recognition from several governments, which often deny recognition to associations having the character of ecclesiastical societies. However, if the Vincentian Conferences are not an association in the strict sense of the word, ecclesiastical, nevertheless, from the beginning, they have had and constantly maintained a much closer connection with the clergy and ecclesiastical authorities. Generally, although not effectively, a parish priest, or in his absence, another pious priest, and not rarely the Bishop himself, presides, and there is always a priest present who spiritually

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directs and is, as it were, a true ecclesiastical advisor to the councils: this manner of acting was not imposed on the society by ecclesiastical authority, but was spontaneously adopted by the members, by that true Christian impulse, in which, when engaged in works of Christian charity, they seek guidance and direction from ecclesiastical authority, whose primary task it is to promote and foster such works.

II. WHAT FOLLOWS. - It is again necessary to state that, since the Society of St. Vincent de Paul is called a lay society, it is necessary from the outset to remove...

[*Latin ed. p. 139*]

The Holy Congregation of the Council has declared that the term ″lay″ in this connection has acquired a meaning different from that which it formerly held, and which it did not possess in past times: here, ″lay″ is used merely by opposition to ″ecclesiastical.″ It is well known that there are lay and ecclesiastical chaplaincies: the former are those which are founded without ecclesiastical authority or approval, and therefore do not remain spiritual, but are subject to the disposition of the testator and heirs (Amostazo, *De causis piis*, Book III, chapter I, 7; chapter II, n. 1 sq.). It is also well known that confraternities are divided into lay and ecclesiastical: in this division, a confraternity is considered to be any society or association founded for pious purposes, and the distinction between lay and ecclesiastical lies in the fact that in the former, ecclesiastical authority does not intervene, while in the latter, it does intervene, either by approving or establishing them, thereby conferring upon them the character of being ecclesiastical (Amostazo, *De causis piis*, Book IV, chapter 12, n. 7). Therefore, the distinction is not made based on the end, but on the fact that the former are directed and governed by laypersons, while the latter are under the authority of the Church. Cf. also Melata, *Manuale de Indulgentiis*, page 207, where he also notes that associations which have not been established by the Bishop are simply called pious or lay by opposition to ecclesiastical ones (Schmalzgrueber, Book III, title 36, *De religiosis Domibus*; Reiffenstuel, ibid., n. 7 sq.; Duballet, *Des choses ecclésiast.*, n. 564, 567). Therefore, besides the strictly ecclesiastical associations which are established and governed by ecclesiastical authority, there are also other unions of the faithful, also founded for pious purposes, but constituted under the authority and governance of laypersons, and which are merely approved or praised by ecclesiastical authority. These are undertaken for the benefit of those in need, and exercise charity towards the poor, care for the sick, protection for widows and orphans, promote health and Christian education, or provide spiritual and moral guidance to young people, or strive against certain vices prevalent in society. Often, confraternities are established by the Church itself for these purposes, as was customary especially in

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the Middle Ages; and in such cases, it is clear that these confraternities are strictly ecclesiastical, established by the authority of the Bishop for the promotion of such works, and are subject to his jurisdiction and governance, even in the pursuit of their pious purpose, and therefore the canons concerning confraternities should be applied to them. But outside of this case, just as an association does not have the character of being from the Church, nor is it recognized by the Church in terms of legal effects; so it is not governed or regulated by ecclesiastical authority, but by laypersons as designated in its own statutes. A prime example of this class of associations, as noted in recent times, is the Society of St. Vincent de Paul, or the Vincentian Conferences (Tachy, *Traité des Confréries*, chapter 1, n. 13).

[*Latin ed. p. 140*]

140 Acta Apostolicae Sedis - Commentary of the Official Acts - Which distinction the Church has solemnly recognized even most recently. Thus, in the Decree of the Holy General Congregation, from the most remote antiquity, where the rule concerning the presentation by Bishops to the Holy See, at periodic times, of a report on the state of the diocese is established, separately are found Chapter XI-II concerning pious sodalities and religious associations, which are established by ecclesiastical authority, and Chapter XV concerning works of piety and social works, in which only it is required that they "render due reverence in all things to the Ordinary and to the Holy Father, and in those matters which concern faith, morals, and laws, they must be entirely subject to the direction and guidance of the Holy See." From these last words of the Holy Congregation, it is sufficiently clear the ambiguity of the question proposed by the Ordinary of Corrientes; indeed, whenever the question of faith and morals arises, it is evident that any faithful person, any association, is subject to the authority of the Church; from this, however, it does not follow that said association must necessarily be subject in all things to the Ordinary, concerning its existence, constitution, or organization, its statutes, its activity, and its internal governance; for the Holy Congregation openly distinguishes these pious societies and social works from sodalities or associations established by the Church, which acquire a legal personality within the Church. Indeed, it can truly be said that just as individual faithful are subject to the jurisdiction of the Bishop, so they are even more subject to that jurisdiction when they unite in societies. Although the Bishop, by this very fact, cannot direct the society by the force of his jurisdiction, as he directs properly ecclesiastical societies and confraternities, he nevertheless has the right and the obligation to *vigil*, lest abuses occur, or lest the faithful, through the occasion of the society, incur the ruin of their salvation (cf. Code of Canon Law, canon 336 § 2). Connected with the rights of Bishops with respect to these associations, which are not properly ecclesiastical, is the obligation or

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duty of fostering and promoting them, especially when it is a question of societies already commended and praised by the Church, as is the case with the Vincentian Society. Concerning which, Leo XIII (Encyclical *Humanum genus*) addresses the Bishops in this manner: "In this matter, we do not wish to remain silent here, but to present as an example that most praiseworthy society of the lower order, which is called the Vincentian Society, named after its founder, Vincent. It is known what it does, what it desires: namely, to provide assistance to the needy and the afflicted, and that with remarkable sagacity and modesty: the less it seeks to be seen, the better it is for Christian charity, the more opportune it is for the relief of suffering." These praises and commendations are given for a society that was never established, directed, and governed by ecclesiastical authority, but by lay people; nevertheless, it has always maintained a very close connection with the Church, and with its growth -

[*Latin ed. p. 141*]

I. The Congregation for the Clergy has established a connection between certain ecclesiastical institutions and many societies and confraternities that are truly ecclesiastical.

II. CODE OF CANON LAW. The law concerning this matter has not been changed by the Code, but rather has been confirmed. This is not only derived from the general canon 6, in which it is stated: "The Code, as far as it is applicable, refers to the existing discipline," but also from the special canons concerning associations of the faithful. Indeed, canon 684 states: "The faithful are worthy of praise if they give their names to associations established or at least recommended by the Church." Therefore, it clearly distinguishes between associations established by the Church and associations recommended by the Church, such as the Vincentian Society. The remaining canons, from canon 686 to the end of the title, deal with those that are established by the Church, through which, by the very act of establishment, they obtain "a juridical person in the Church" (canon 687), and therefore must have "statutes approved by the Apostolic See or Ordinary" (canon 689), etc. (cf. canon 100 § 1 and canon 1489 § 1). The Vincentian Society is not subject to these laws, nor are societies for promoting temperance, and other similar purely secular or non-ecclesiastical societies, even though they are highly recommended by the Church and, therefore, are endowed with indulgences.

III. CONCLUSION. Therefore, the Vincentian Conferences are truly pious, non-ecclesiastical associations to which the canons of the Code cannot be applied, canons that concern associations that, through the act of establishment by ecclesiastical authority, become truly ecclesiastical. However, it is not easy to give a definitive answer to the question posed, whether affirmative or negative; for, as has been said, even non-ecclesiastical associations are subject to the vigilance of the Bishop, and it is also possible that

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the work they undertake may be subject to the jurisdiction of the Bishop, for example, if they establish a school, with regard to the manner in which religious instruction is imparted therein.

B) Concerning the Vincentian Conferences of the Republic of Argentina. It is known that the Society of Saint Vincent de Paul was founded in such a way that women were completely excluded from it (Manuel de la Société, page 20); and only later, by Gregory XVI, were indulgences granted to women who assisted the works of the Society with their alms, being the only means for women to participate in the works of the Society. In fact, sooner or later, Vincentian Conferences of women were established in several regions; and so the situation has progressed to the point that today, women's Conferences are flourishing, unlike others.

[*Latin ed. p. 142*]

142 Acta Apostolicae Sedis - The official commentary describes them as organizations of men far more prosperous and distinguished by their works in favor of the poor of every condition, and exercising a greater efficacy in their spiritual regeneration. For, on the one hand, honest and virtuous women more easily obtain legal recognition and protection from governments; on the other hand, they more easily and suavely introduce themselves into the hearts of the poor, alleviating their bodily miseries, and preparing the way for priests, whom they diligently seek out as the best possible helpers. It is not necessary to discuss how such organizations of women were introduced into other regions. As for the organizations of women in the Republic of Strasbourg, which is the subject of this inquiry, the matter is clear: their origin and history are accurately described in a public document, while they solemnly celebrated the completion of their fifth anniversary (in 1914) since their founding (in 1889). Indeed, when the organizations of women in Spain were founded with great spiritual fruit, they vigorously sought to obtain national or independent status from the organizations in Paris; and they petitioned Pope Pius IX, asking that he deign to grant them the indulgences that the organizations of men already enjoyed; which Pius IX graciously granted with a brief dated April 22, 1867. The following was read in the narrative rescript: "Supplices prayers have been presented to Us, that We, with Our Apostolic Authority, may deign to grant to the Society of Christian women, under the title of Saint Vincent of Paul, commonly called the 'Confraternity,' which has its central seat in the Kingdom of Spain, and its headquarters in the city of Madrid, all and each of the indulgences with which the Society of Christian men of the same title and institution has been endowed by this Holy See...". (Cited work, page 110). From Spain, the organizations of women spread to the Oriental Republic (Uruguay); and then news was brought to the Argentine Republic, where pious and virtuous women belonging to the more noble families founded (in 1885) organizations entirely in accordance with the

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organizations of Spain, and therefore they petitioned Pope Leo XIII and obtained that indulgences be granted to them, which had been granted to similar organizations of women in Spain: "It has been presented to Us, that We may deign to grant to this Society in the Argentine Republic, which has its principal seat in the city of Buenos Aires, all the indulgences with which the Spanish organizations enjoy, with Our benevolence..." (Cited work, page 109). Therefore, the organizations of women, like those of men, were founded without formal erection, and therefore without formal approval by ecclesiastical authority; therefore, like those of men, they are not governed by authority.

[*Latin ed. p. 143*]

The Holy Congregation of Councils has declared that certain ecclesiastical bodies, though organized through their own councils, and therefore not subject to the laws of the Code pertaining to confraternities and pious unions established by a formal decree of erection or approval by a Bishop; and in this sense, it can truly be said that they are not subject to the Bishop, although, as has been said, this way of speaking remains improper, since the Bishop always has the right and the duty of vigilance, and therefore of visitation (can. 336 and following). This, however, is even more clearly the case with the Conferences of the Republic of Argentina. For when the most noble women who founded them previously manifested their intentions to the Archbishop of Buenos Aires, even presenting a draft of the Statutes, and implored his approval or blessing, as was fitting for Catholic women; the Archbishop wisely refrained from formally approving the society, which was not an ecclesiastical society, such as confraternities and pious unions, but generously bestowed his blessing, at the same time declaring that it was not within his authority to govern it. In other words: "We gladly grant the requested blessing, since it cannot be doubted that this is a most useful work of Christian charity. However, since this institution is not dependent on our authority, we do not claim to govern it. However, since a license and blessing are requested from us, which is entirely proper for any Christian work, we have not considered it to be outside our jurisdiction to declare that this Society can safely be established, and we advise that it be established as soon as possible" (cited work, page 103). Therefore, the Vincentian Conferences of women in the Republic of Argentina, like those of men, have been established for the purpose of carrying out works of outstanding charity, having been formed by the pious will of the members, without the intervention of ecclesiastical authority, which declared itself incompetent to establish them through a formal decree of erection or approval, since they were neither confraternities nor pious unions subject to particular canonical rules. Thus, in the Republic of Argentina, the women's Conferences are organized through a General Council residing in the Metropolitan City of Buenos Aires, through Regional Councils dependent on the General Coun-

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cil, distributed in various provinces, and through Conferences, which are usually distributed according to the parish. They have thus far maintained close ties with ecclesiastical authorities or Bishops, who have not disdained to assist these Conferences, and who have always provided them with an ecclesiastical advisor, a pious priest, zealous and imbued with the spirit of the Conferences, to whom the Statutes assign the honorary presidency and who serves as an advisor, although the business is carried out by the Council itself.

[*Latin ed. p. 144*]

144 Acta Apostolicae Sedis— The official record of the Conference of Argentina initially sought to obtain legal recognition and juridical personality from the civil government, which the government gladly granted, due to the innumerable social benefits that stemmed from it; not only did it grant recognition, but it also decreed numerous financial aids in the very Parliament. Therefore, when, with the passage of time, it was deemed opportune to make some changes to the Statutes in order to expand the work, since the Statutes were established without the intervention of ecclesiastical authority, so too were these changes made without such intervention, although they are subject to the approval of the government, provided that recognition is not granted except according to the Statutes. Therefore, the Conferences of women in Argentina proceeded in this matter in exactly the same way as the Conferences of men, which are subject to the General Council of Paris; namely, as a lay or non-ecclesiastical society, as explained above. - I. Therefore, the Conferences of women in Argentina, like those of men, appear, by the way in which they were founded, organized, and developed, not to be any confraternity, nor any other pious ecclesiastical association, to which the canons of the Code concerning confraternities and pious associations can be applied. GENERAL CONCLUSION. II. However, since all the faithful, whether received individually or united in a society, are subject to ecclesiastical prelates, and the activity of any society, even a lay one, composed of the faithful, is subject to the general vigilance of the Bishops, this must also be religiously observed concerning the Vincentian Conferences; saving the more special right which belongs to the Bishops, concerning scholastic works and similar matters that the Conferences undertake. Thus far, the opinion of the Consultor. Therefore, etc. - On November 13, 1920, the Sacred Congregation of the Council, in the meetings of the Most Reverend Fathers, decided that the following should be responded: "In accordance with the above, it should be written to the Most Reverend Bishop, making it known that in this case, the Ordinary has the right and the duty to oversee the aforementioned society, and to ensure that nothing contrary to the faith and morals is attempted within it, and, if there are abuses, to correct and repress them." RESOLUTION. This resolution, presented to the undersigned Secretary of the Holy Congregation in the

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audience of the following day, was deigned to be approved and confirmed by Our Most Holy Father Benedict, Divine Providence, Pope XV. I. MORI, Secretary.

[*Latin ed. p. 145*]

The Holy Congregation of Propaganda Fide.

HOLY CONGREGATION OF PROPAGANDA FIDE

I. DECREE: DEFINITIVE APPROVAL IS GRANTED TO THE STATUTES OF THE SODALITY OF SAINT PETER FOR MISSIONS IN AFRICA. Since the religious Sodality of pious women founded by Saint Peter Claver, not long ago with pious intention, to support missions in Africa, has flourished and produced abundant fruits of salvation, it was deemed worthy to obtain, from the Holy See in the year 1910, the definitive approval of both its Institute and its Constitutions. Recently, with the promulgation of the Code of Canon Law, it was deemed opportune to adapt and perfect the aforementioned Constitutions to the norms of that same Code, where it was necessary. Therefore, the Most Reverend Fathers of this Sacred Council, dedicated to propagating the Christian Name, in the plenary assemblies held on November 29th of the recently elapsed year, having reviewed those same Constitutions, considered them to be valid and approved, with the appropriate modifications, as shown in the attached example. The opinion of the Most Reverend Fathers, reported by the undersigned Secretary of the same Holy Congregation, was confirmed by His Holiness Pope Benedict XV, and the present Decree was issued concerning this matter. Given in Rome, from the offices of the Holy Congregation of Propaganda Fide, on December 18th, 1920.

G. CARD. VAN ROSSUM, Prefect.

L. © S. C. Laurenti, Secretary.

[*Latin ed. p. 146*]

146 Acta Apostolicae Sedis - Official Commentary II. DECREE: DEFINITIVE APPROVAL GRANTED BY THE HOLY SEE TO THE CONSTITUTIONS OF THE INSTITUTE FOUNDED BY SAINT FRANCIS XAVIER FOR FOREIGN MISSIONS. Since the religious Institute named after Saint Francis Xavier, whose principal house is located in Parma, in Emilia, having recently completed its twenty-fifth year since its founding, has shown joyful growth and has already yielded abundant fruits in the conversion of nations, it seemed opportune to grant the Constitutions of the same Institute, which have been proven by many years of experience, the strength of definitive confirmation. Therefore, the Most Eminent Fathers of this Holy Congregation for the Propagation of the Christian Faith, in plenary sessions held on November 22nd of the year 1920, having

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examined the aforementioned Constitutions, judged that they, along with the modifications shown in the attached copy, should be definitively approved and confirmed. This judgment of the Most Holy Fathers was, on the same day, graciously approved and accepted by the Most Holy Pope Benedict XV, Divine Providence, upon being reported to him by the undersigned Secretary of this Holy Congregation, and He has ordered the present Decree to be issued. Given in Rome, from the offices of the Sacred Congregation for the Propagation of the Faith, on the 6th of January, 1921. G. CARD. VAN ROSSUM, Prefect. L. C. S. C. Laurenti, Secretary. III. DECREE: CERTAIN MISSION NAMES ARE CHANGED. In order that the denomination of certain missions might more appropriately correspond to the circumstances, it seemed opportune that the Apostolic Vicariate, which until now was called "of Betafo," on the island of Madagascar, should henceforth be called...

[*Latin ed. p. 147*]

The Holy Congregation of Propaganda Fide, number 147, from the city of Antsirabé, to which, due to the size and importance of the place, the Apostolic Vicar has transferred his seat; likewise, the Prefecture of Ghardaia shall henceforth be called Ghardaia in the Sahara, and furthermore, the Apostolic Prefecture of Cimbebasia Superior shall henceforth be called Cimbebasia, from Gubango in Angola, and consequently, that which was hitherto called the Prefecture of Cimbebasia Inferior shall henceforth simply be called Cimbebasia. These modifications of names, proposed by the Most Eminent Fathers of this Holy Council, were graciously approved by the Most Holy Lord Pope Benedict XV in an audience held on November 22nd, by the undersigned Secretary of the same Holy Congregation. Given in Rome, from the offices of the Sacred Congregation of Propaganda Fide, on January 10, 1921. G. M. CARD. VAN ROSSUM, Prefect. L. & S. C. Laurenti, Secretary. IV DECREE: Reverend Father Thomas O'Doherty, Bishop of Clonfert, is appointed President of the Pious Union of Clergy for Missions in Ireland. The island of saints, whose fervent zeal for spreading the faith among the nations has been constantly demonstrated through the frequent presence and activity of its missionaries throughout the centuries, will certainly receive new praise in the work of the Missions, when the Pious Union of Clergy for Missions, of which it now holds the best hopes, fully achieves its progress and growth. Therefore, in order that this Union may achieve its purpose as quickly as possible among the noble Irish people, it has been deemed best, without further delay, to also appoint a general president for that region, so that, with secure hope, the Pious Association may flourish and prosper there

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from the very beginning.

[*Latin ed. p. 148*]

148 Acta Apostolicae Sedis - Official Commentary. For the selection of this office, the undersigned, Prefect of the Sacred Congregation for the Propagation of the Faith, considered the Reverend Father Thomas O' Doherty, Bishop of Clonfert, whose excellent qualities of mind and prudent counsel most strongly recommend him for this purpose; and, by the present Decree, with the power granted to this Sacred Congregation by the Supreme Pontiff, he is appointed and constituted. 6. Notwithstanding any objections to the contrary. Given at Rome, from the offices of the Sacred Congregation for the Propagation of the Faith, on the 18th of January, 1921. G. M. CARD. VAN ROSSUM, Prefect. L. © S. C. Laurenti, Secretary. V. DECREE EXTENDING THE FUNCTIONS OF THE APOSTOLIC DELEGATE IN JAPAN TO THE APOSTOLIC VICARIATES OF THE CAROLINE, MARIANEN, AND MARSHALL ISLANDS. The Caroline, Marianen, and Marshall Islands have never depended on the Apostolic Delegation for Australasia. However, in order to better provide spiritual assistance to the faithful and the evangelization of the indigenous peoples in these so-called southern islands of the Pacific Ocean, which are now under the jurisdiction of the Japanese Empire, it was deemed appropriate to extend the functions of the Apostolic Delegate in Japan to the Apostolic Vicariates of the Caroline, Marianen, and Marshall Islands. Therefore, the Most Reverend Fathers of this Sacred Congregation for the Propagation of the Faith, after mature deliberation at the general meeting held on February 21st of the past year, and considering the present needs, decided that the boundaries of the same Delegation, established in 1919, should also extend to the aforementioned missions in the southern islands of the Pacific Ocean, subject to the jurisdiction of the Japanese Empire. This opinion of the Most Reverend Fathers, having been reported to His Holiness Pope Benedict XV on February 21st by the Reverend Father, Secretary of this Sacred Congregation, His Holiness...

[*Latin ed. p. 149*]

8. The Congregation of Propaganda Fide, having deemed it worthy of approval and praise, has ordered the completion of the present decree concerning this matter. Given in Rome, from the offices of the Sacred Congregation of Propaganda Fide, on the 8th of March, 1921. G. M. CARD. VAN ROSSUM, Prefect. L.HBS. C. Laurenti, Secretary.

SACRED CONGREGATION OF RITES

I. On the 18th of June, of Saint Ephraem the Syrian, Deacon, Confessor, and Doctor of the Church.

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Duplex.

All things pertaining to the Common of Doctors, in I, besides the following:

VESPERS

To the Magnificat Antiphon: "O, most excellent Doctor, light of the holy Church, blessed Ephraem, lover of the divine law, pray for us to the Son of God."

Prayer: "O God, who willed that your Church be illuminated by the wondrous learning and the illustrious merits of your blessed Confessor and Doctor, Ephraem: we implore you, that, through his intercession, you may defend it perpetually against the snares of error and wickedness. Through our Lord."

And the Commemoration of Saints Mark and Marcellian, Confessors. The Antiphon is: "Rejoice in the Lord."

Prayer: "We beseech you, Almighty God, that since we celebrate the birthday of your holy Martyrs, Mark and Marcellian, may we be delivered from all evils through their intercession. Through our Lord."

In the Nocturn, Lessons from Scripture are read pertaining to this.

[*Latin ed. p. 150*]

150 Acta Apostolicae Sedis - Official Commentary

IN THE SECOND NIGHT, Reading IV: Ephraem, of Syrian origin, was born in Nisibe, his father being from that place. Still a young man, he presented himself to the holy Bishop James, who baptized him, and he so quickly progressed in sanctity and doctrine that he was appointed as a teacher in the school of Nisibe, a city in Mesopotamia. After the death of Bishop James, when Nisibe was captured by the Persians, he went to Edessa: where, first, he resided among the monks on a mountain, and then, in order to avoid the many people who flocked to him, he led an eremitical life. Ordained as a deacon of the Church of Edessa, and refusing the priesthood out of humility, he shone with the splendor of all virtues, and he began to cultivate piety and true religion with the profession of wisdom. Having fixed all his hope in God alone, and despising every human and transient thing, he constantly desired the divine and eternal. *Honestum.*

Reading V: To Caesarea in Cappadocia, led by the divine spirit, when he requested it, he saw Basil himself, the leader of the Church, and they became accustomed to mutual intercourse in every way. To refute the numerous errors that were then spreading and corrupting the Church of God, and to diligently illuminate the mysteries of our Lord Jesus Christ, he composed many treatises, written in the Syriac language, and almost all of them were translated into the Greek language; and, according to the testimony of Saint Jerome, he attained such clarity that, after the reading of the Scriptures, his writings were publicly recited in certain churches. *He published.* *He

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loved.*

Reading VI: All of his works, so illuminated by the light of doctrine, caused the same Saint, while still living, to be held in great honor as a Doctor of the Church. He also composed metrical hymns in praise of the Most Blessed Virgin Mary and the Saints: for which reason he was deservedly called the "Syriac Spiritus Sancti" (Holy Spirit) by the Syrians. He excelled in a wonderful and pious devotion to the same Immaculate Virgin. Full of merits, he died in Edessa, in Mesopotamia, on the tenth day before the Kalends of July, under the Vaiente prince; and he was, at the urgent request of many Cardinals, Patriarchs, Archbishops, Bishops, and Abbots of the Holy Roman Church,

[*Latin ed. p. 151*]

The Holy Congregation of Rites, number 151, and to religious families, Benedict XV, Pope, after consultation with the Congregation of Sacred Rites, declared him a Doctor of the Universal Church.

RJ. This man.

IN THE THIRD NIGHT.

Reading from the Holy Gospel according to Matthew, Chapter 7, verses 13-19.

"At that time, Jesus said to his disciples: You are the salt of the earth. But if the salt has lost its savor, wherewith shall it be salted? And the rest."

Homily of Saint Ephrem the Syrian, Deacon, "Sermon on the Life and Practice of Monasticism."

"It is a great thing to begin and to perfect good, and to be pleasing to God and useful to your neighbor, and to please our most excellent and sweetest Lord Jesus Christ, who said: 'You are the salt of the earth, and the pillar of the truth.'"

"Your labor of affliction, most beloved, is like a sleep; but the rest of your labor is ineffable and invaluable. Therefore, attend diligently to yourself, lest you lose both, while pursuing neither fully, and thus losing the present and eternal joy."

"Rather, strive to attain perfect virtue, adorned and distinguished by all that God loves."

"If you attain this, you will never offend God, nor will you offend your neighbor."

RJ. This is.

Reading from Chapter 8.

"Furthermore, this virtue, which is unique, is said to be of a single species, yet it contains the beauty of various virtues within itself."

"A royal diadem cannot be connected without precious stones and shin-

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ing pearls; so too, this unique virtue cannot consist without the brilliance of various virtues."

"For it is truly similar to a royal diadem. For just as, if one stone or one pearl is lacking, it cannot fully shine on the royal head; so too, this unique virtue, unless it is joined with the honor of other virtues, is not called perfect virtue."

"It is also like the most precious feasts, prepared with the most exquisite seasonings, but lacking salt. For just as those precious foods cannot be eaten without salt; so too, this uniform virtue, if it is not adorned with the glory and honor of various virtues, but is lacking in the love of God and your neighbor, is utterly worthless and contemptible."

BJ. In the midst of the Church.

[*Latin ed. p. 152*]

Acts of the Apostolic See - Official Commentary 152 For the Holy Martyrs Mark and Marcellian. Reading ix. Mark and Marcellian, brothers from Rome, were seized by Fabian, the prefect, because of their Christian faith, and were bound to a stake, their feet being fastened with nails. When the judge spoke to them in this way: "Repent, you wretches, and free yourselves from these torments," they replied: "We have never enjoyed a more pleasant feast than this, which we have willingly completed for the sake of Jesus Christ, for whose love we now wish to remain bound." May the Lord allow us to suffer these things as long as we are clothed in this mortal body! They, who sang divine praises day and night in the arena, finally reached the glory of martyrdom, pierced with arrows. Their bodies were buried along the Via Ardeatina. We praise You, O God. Thus, if the following reading is not to be read because the simplified office is to be used, the following is said: Certain individuals have acquired this virtue, and have received much adornment from it, as if it were a royal diadem. Afterwards, however, they have reduced this most brilliant virtue to nothing, through the favor of some worthless thing. For this virtue, being bound to the cares of worldly things, and hindered by such chains, cannot enter heaven. Therefore, be vigilant, beloved, lest, by binding yourself with these chains, you give the enemy an advantage; nor should you lose that wonderful and most excellent virtue which you have sought with so much labor, nor should you prevent it from entering the gates of heaven, nor should you allow it to be confused by shame, nor should you permit it to be defiled by a single hair. Rather, give it a free and resounding voice, so that it may enter the bridal chamber rejoicing, and may receive its rewards with a sublime voice. It was able. We praise You, O God. For the Lauds, the Commemoration of St. Mark and Marcellian is celebrated: Antiphon: "The heads of the martyrs." Responsorial Psalm: "They shall rejoice who are holy." The Vespers follow from the chapter of Gervasius and Protasius, Martyrs, the Commemoration of your feast is celebrated, and Mass is celebrated in the middle of the

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church, except for the Prayer: "O God, who..." as in the Office.

[*Latin ed. p. 153*]

The Holy Congregation of Rites, concerning number 153, regarding Saint Ephraem, Deacon, Confessor, and Doctor of the Church, for the insertion of his eulogy into the Roman Martyrology. On the 18th of June, in Edessa, in Mesopotamia, Saint Ephraem, Deacon of Edessa and Confessor; who, after many labors undertaken for the faith of Christ, conspicuous for his doctrine and sanctity, peacefully departed this life under the Emperor Valens, and was declared a Doctor of the Universal Church by Pope Benedict XV. FOR THE WHOLE WORLD. Whereas, by Encyclical Letters, on the 5th of October of the current year, it was declared that Saint Confessor Ephraem, Deacon of Edessa, was declared a Doctor of the Church by the Apostolic See, and his feast, to be celebrated with a double rite, was inserted into the Universal Calendar on the 18th of June; the Office pertaining to the same Saint Ephraem, with Mass, and his eulogy for insertion into the Roman Martyrology, were humbly submitted for the highest approval of His Holiness, our Lord Pope Benedict XV, by the Most Reverend Patriarchs of Antioch of the Syrians, of Antioch of the Maronites, and of Babylon of the Chaldeans. Furthermore, His Holiness, referring the matter to the undersigned Cardinal, Prefect of the Sacred Congregation of Rites, approved with supreme authority the aforementioned Office with Mass concerning Saint Ephraem, Confessor and Doctor of the Church, and his eulogy for insertion into the Roman Martyrology, for the day of June 18th, after it had been reviewed and arranged by the aforementioned Sacred Council, observing the prescribed rubrics. Contrary decrees notwithstanding. On the 14th of October, 1920.) $r A. CARD. VICO, Prefect of the Portuensis and Rufinensis dioceses. S. ALEXANDER, Secretary. ACTA, Vol. XIII, n. L — li-3-921. Verde, Secretary.

[*Latin ed. p. 154*]

154 Acta Apostolicae Sedis - Official Commentary II INSTRUCTION FOR THE BLIND PRIEST CONCERNING THE CELEBRATION OF MASS, AND THE INDULGENCE GRANTED TO HIM THEREBY. 1. - PRELIMINARY OBSERVATIONS. 1. A priest who is blind, or who suffers from such a weakness of vision, whether accidentally or habitually, that he can only read very large print, may, at the discretion of the Supreme Pontiff or the Sacred Congregation of Rites, unless the Bishop has been granted apostolic authority, obtain a dispensation to celebrate, according to the norms which will be explained more fully below, either a votive Mass of the Blessed Virgin Mary, or the Mass, which they call, the daily Mass for the Dead. 2. The conditions stipulated in such a dispensation are not merely matters of ritual and style, but are binding on the conscience. 3. If the dispensation states: "Provided that the celebrant is not completely

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blind, and does not become completely blind in the meantime," then he must abstain from celebrating Mass until he obtains a new dispensation; and once obtained, he is bound to have the assistance of another priest, even if this obligation is not expressly stated in the dispensation. 2. - RULES REGARDING THE VOTIVE MASS OF THE BLESSED VIRGIN MARY. I. - Which Votive Mass of the Blessed Virgin Mary should be said. 1. The priest who has been granted a dispensation should say the votive Mass among those assigned to the Blessed Virgin Mary, the fifth, at any time of the year, in Potenza. 2. If, however, his visual acuity is still such that he can read, he may also celebrate the other four votive Masses of the Blessed Virgin Mary contained in the Missal for the blind, according to the diversity of times. II. - When the Votive Mass of the Blessed Virgin Mary should be said. 1. The Votive Mass of the Blessed Virgin Mary may be said at any time of the year; it must, however, be said on all and every day, on which the daily Mass for the Dead is not permitted, according to the Calendar of the Church.

[*Latin ed. p. 155*]

Holy See, Congregation of Rites, Decree 155, concerning the celebration of Mass by a blind priest; however, the following privileges regarding Masses for the Dead, as explained in section 3, remain in effect. In the sacred triduum of the Greater Week, a blind priest shall abstain entirely from celebrating Mass. 3. On the Feast of the Nativity of the Lord, he may say three Masses. III. – Regarding the manner in which the Mass is to be celebrated. 1. If a votive Mass of the blessed Virgin Mary is celebrated for a grave and public cause, by a blind priest, the following are always said: the Collect, the Gloria in excelsis, the Creed, the Preface in a solemn tone, the Ite Missa est, and the final Gospel of Saint John, "In the beginning," even though this commemoration might not be performed on that day by non-privileged priests, or if a Collect is prescribed by the Ordinary, or if the Gospel of the Office is to be read at the end, according to the rubrics. 2. In all other cases: a) The Gloria in excelsis is said: I. – Whenever it is to be said in the Mass of the current day, according to the Calendar of the Church in which the Mass is celebrated; II. – On the anniversary of one's own priestly ordination; III. – Within the Octave, even simple ones, of the blessed Virgin Mary, according to the Calendar of the Church in which the Mass is celebrated; IV. – On Saturday. b) Regarding the prayers, the following are to be observed: I. – The second and third prayers are not added, whenever the prayers of the time exclude the customary prayers of the Mass of the current day, according to the Calendar of the Church in which the Mass is celebrated; II. – However, the three prayers are said, namely the second prayer concerning the Holy Spirit, the third prayer against the persecutors of the Church, or for the Pope. c) The Creed is said: I. – Whenever it is to be said in the Mass of the current day, according to the Calendar of the Church in which the Mass is celebrated; II. – On the anniversary of one's

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own priestly ordination. d) The Preface "Te in perpetuum laudabimus" is said, in addition to the feasts and during the Octaves, even simple ones, of the blessed Virgin Mary, in which the Preface is said as if a Mass of the Feast or of the Octave were being celebrated. e) The final Gospel is always that of Saint John, "In the beginning." f) In private chapels, the Calendar of the celebrant takes the place of the Calendar of the Church in which the Mass is celebrated; and this also applies to Masses for the Dead.

[*Latin ed. p. 156*]

156 Acta Apostolicae Sedis - Official Commentary 3. - RULES CONCERNING THE MASS FOR THE DECEASED. 1. In the place of the votive Mass of the blessed Virgin Mary, the priest hearing confessions may celebrate the daily Mass for the Deceased, either with or without singing, according to the rules for Masses for the Deceased, according to the Calendar of the Church in which he celebrates. 2. He also celebrates this Mass (and indeed, three times if he wishes) on the Commemoration of All Faithful Deceased, but he shall say only the Prayer of the Faithful; observing, if he celebrates twice or three times on this day, the Constitution of Pope Benedict XV, *Incruentum Altaris sacrificium*, by virtue of which only one Mass may be offered for which he may receive a stipend, choosing which he prefers; the other Masses, without receiving any stipend, he shall offer for all the faithful deceased, according to the mind of the Supreme Pontiff, as other priests do. 3. Only one Prayer is said in this Mass, whenever this daily Mass takes the place of the Mass in which, according to the rules, only one Prayer must be said. Otherwise, at least three Prayers shall be said: however, the first and second Prayers may be varied, according to the particular intention and application of the Mass. 4. The priest hearing confessions is never obliged to recite the *Dies irae*. However, if he sings the Mass, it is permissible for him not to read the *Dies irae* himself, but the choir should not omit it. ROMANA The Most Holy Pope Benedict XV, having approved the aforementioned Instruction concerning the celebration of the holy Sacrifice of the Mass by confessing priests, who have obtained the Apostolic Indult, which was submitted to him by the Cardinal Prefect of the Sacred Congregation of Rites, approves it, contrary to whatever may be. On January 12, 1921. •g A. CARD. Vico, Bishop of Portuen and S. Rufinae, S. R. C. Prefect. L. © S. Alexander Verde, Secretary.

[*Latin ed. p. 157*]

157 The Holy Congregation of Rites: CONCERNING THE DOUBT REGARDING THE SINGING OF "BENEDICTUS QUI VENIT," ETC., DURING THE MASS.

Having arisen a doubt, and for the proper resolution thereof, the Sacred Congregation of Rites, having considered the interpretation of the words in the Roman Gradual, title "de ritibus servandis in cantu Missae," no. VII,

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where it is read: "After the Preface, the choir proceeds with the Sanctus," etc., it is asked: "Are these words to be understood in the Mass, when sung, as referring to the Sanctus being sung up to 'Benedictus' inclusively or exclusively?" And the same Sacred Congregation, having heard the vote of a special Commission, and having considered all things, decided that the answer should be: "Negatively to the first part, affirmatively to the second, according to the Caeremoniale Episcoporum, book I, chapter VIII, sections 70 and 71, and the decrees no. 2682, Marsorum, November 12, 1831, no. 3027, the general decree of May 22, 1894, and no. 4243, Cephaluden, December 16, 1909, no. VI."

Furthermore, for a greater declaration and explanation, it decreed that in the new editions of the Roman Gradual, in the aforementioned title and number, namely: "de ritibus servandis in cantu Missae," no. 88, the following should be added: "After the Preface, the choir proceeds with the Sanctus, etc., up to 'Benedictus qui venit,' etc., exclusively; upon its completion, and not before, the Sacrament is elevated. Then the choir is silent and adores with the others. After the Sacrament is elevated, the choir proceeds with the singing of 'Benedictus'. Blessed be he that cometh in the name of the Lord. We have blessed you out of the house of the Lord."

This rubric, however, must be observed inviolably, notwithstanding any contrary things, in every Mass, whether sung by the living or for the dead, whether Gregorian chant or any other kind of chant is used. And thus it decreed, declared, and ordered to be observed.

January 14, 1921.

A. CARD. VICO, Prefect of the Congregations of Propaganda Fide and of Religious.

Alexander Verde, Secretary.

[*Latin ed. p. 158*]

Acta Apostolicae Sedis - Official Commentary 158 IV, CONCERNING THE ADDITION OF THE INVOCATION OF ST. JOSEPH IN THE "BENEDICTUS" PRAYER: "MAY GOD BE PRAISED." As the fiftieth anniversary approached of the papal decree promulgated on December 8, 1870, by which the Spouse of the Most Holy Virgin Mary, and the foster father of her only-begotten Son, our Savior, St. Joseph, was established and declared as the special patron of the Catholic Church before God, the Most Blessed Father Benedict XV, by his own initiative, on July 25 of the preceding year, commanded and decreed that, within the same fiftieth year, a solemn supplication be held, at a time and in a manner to be determined by the Bishop, or Ordinary, of each place, in honor of the holy Patriarch and in memory of the promulgated decree; and that a plenary Indulgence be granted, which the faithful present may obtain under the usual conditions. Now, the same Supreme Pontiff, gladly complying

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with the wishes and prayers of many Holy Prelates and faithful, has decided and decreed that what is practiced in some places, by particular apostolic dispensation and proven custom, for the honor of the Blessed Joseph, be extended permanently to the entire Church, namely: that the pious "Benedictus" prayer: "May God be praised," etc., commonly known as "Dio sia benedetto," etc., enriched with several Indulgences, which, following the exhortation and example of the Psalmist and the Church: "I will bless the Lord at all times: his praise shall be always in my mouth" (Psalm 33:2), is instituted for making amends and removing injuries to the divine Name and to the holy heavens, especially those caused by blasphemies and unseemly language, and after praising the Name of the Virgin Mary and Mother, commonly "Benedetto il nome di Maria, Vergine e Madre," the praise of her most chaste Spouse and of the holy family, as its paternal head, be added with these words: "Benedetto san Giuseppe suo castissimo Sposo," commonly "May God bless St. Joseph, his most chaste Spouse." This is most beneficial both for the completion of the praise and invocation of the Holy Family of Nazareth, and for obtaining a powerful defense in every circumstance of life, especially in the final struggle, to be observed henceforth. Notwithstanding any objections. February 23, 1921. © A. CARD. VICO, Archbishop of Porto and Santa Rufina, Sacred Roman Church, Prefect. L. © S. Alexander Verde, Secretary.

[*Latin ed. p. 159*]

8. The Congregation of Rites in TURIN. DECREE concerning the Beatification of Cafasso, a priest, and the Canonization of the Venerable Servant of God, Joseph Secularis, Moderator of the Ecclesiastical College of Turin. CONCERNING whether it is established that the theological virtues of Faith, Hope, and Charity in God and neighbor, as well as the cardinal virtues of Prudence, Justice, Fortitude, and Temperance, and those things annexed to them, were present in a heroic degree, in every circumstance, and in effect, in the case under consideration? Having completely removed all doubt concerning the legal basis of the entire cause, and having therefore firmly and securely established this, it was possible to examine and marvel at the edifice constructed by the venerable Servant of God, Joseph Gafasso, which was built with virtues. In order to properly ascertain and examine these acts of virtue, it was very helpful to begin by establishing and exploring the condition of the Church of Turin, and indeed of the entire Piedmont region, during the time in which the Venerable Servant of God lived, as the matter itself seemed to require. And when it is necessary to judge the heroic nature of virtues, this Holy Office's teacher, Benedict XIV, gravely and appropriately warned that the excellence of virtue must be estimated according to the condition of the person, the Servant of God, and according to the circumstances in which he found himself during his life (lib. III, cap. XXII, no. U). Indeed, especially considering the veil that cov-

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ered the Jansenist heresy, and the cunning, deceit, and false piety that were present, one cannot but be astonished that this pestilent plague was able to spread its venom so far and wide, and to harvest its crop so abundantly, so that, even in the middle of the last century, it continued to exercise its evil influence among the inhabitants of the Alpine region. However, in the annals of the aforementioned Church of Turin, the name of Aloysius Mary Fortunati Guala is celebrated, whose works, in that princely city, were...

[*Latin ed. p. 160*]

160 The Acts of the Apostolic See – An official commentary. A college, established with the proper rites, existed and flourished, gaining great merit. However, the noble efforts of the same priest, Guala, to combat the errors of the Rigorists, as they are called, errors stemming from the tenets of the Jansenists, and to eradicate the poison they instilled, especially in the administration of the sacraments, were unable to achieve their desired outcome. Indeed, it seemed that these errors were even spurred on by those very efforts, which had begun to stir up diverse and opposing factions. And, as experience has shown, these controversies were excessively harsh and untimely, causing considerable detriment to truth and charity. Meanwhile, among the students of the new college, one stood out above all, both for his knowledge and the application of that knowledge, and for the adornment of virtues; and this venerable man was the Servant of God, who attracted the attention of the rector, Guala. When this man's health began to decline, it was considered the best course of action for him to assist Guala, either in teaching and explaining moral theology to the students, or in giving public lectures. And, a few years later, when he departed from this mortal life, the Servant of God succeeded him in the administration of the college. Thus, together with the teaching of moral theology, which he continued until his death, and which he carried out with such fruitfulness for his priestly audience, as is abundantly testified by all those who, having benefited from his prudent and wise instruction, have proven themselves to be apt and worthy workers in the Lord's vineyard, he devoted himself entirely to various and numerous aspects of the sacred ministry, with the intention, indeed, of achieving a complete victory over the Jansenists, and of acting triumphantly against those associated with them, and others of their ilk. Truly imbued with sound doctrines, which he had diligently and assiduously absorbed from the works of Saint Francis de Sales and Saint Alphonsus Mary de Liguori, he instilled and firmly established these doctrines in the minds of his students and other priests as he taught them from the chair, and he instructed the people faithfully in the sacred preaching. Moreover, he made the most use of the sacred confessional, as a safe guide. Therefore, it is not surprising that, if some sinners were more obstinate and persevering in their sins, he would embrace them with even greater charity; and it is worthy of special note that his priestly vigilance and concern were

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shown to the highest degree towards those who, in order to atone for their crimes, were held in public custody, and who were condemned to death. For, through the operation of divine grace, he converted these men, and after cleansing them with the laver and benefit of the sacraments, instilled in their hearts the divine mercy.

[*Latin ed. p. 161*]

The Holy Congregation of Rites, with unwavering hope, established this, so that, for the sake of the vindication of the truth, the most devoted people might be filled with pious admiration. In this manner and with this method, the venerable Joseph, nurtured by the solid and sound principles of theology, refined by the sweetness of Saint Francis de Sales, fortified by the discernment of Saint Alphonsus Mary de Liguori, and armed and inflamed by the zeal for souls of Saint Ignatius of Loyola, achieved that which, throughout all the years of his priesthood, he constantly and perseveringly sought, without clamor or noise, in silent and arid circumstances, and in unsuitable scholastic discussions; he was, indeed, successful and blessed in driving away the pestilence of the Jansenists, and those attached to that vast sect, from his beloved homeland and its borders, banishing and uprooting them, so that those who had been proscribed until then might flourish anew in the spirit of Saint Francis de Sales and Saint Alphonsus Mary de Liguori, and render to them the due honor that is owed to their doctrine. For the work of the life of the Servant of God, which he pursued with such devotion and holiness, and in which he observed and preserved with remarkable constancy and fidelity all and each of the duties and functions that were proper to his vocation, provides, in itself, the elements by which it is clearly and manifestly demonstrated that the venerable Servant of God, Joseph Gafasso, attained the heroic degree and merit. Therefore, having been brought to this point, the dignity and importance of the cause are revealed, the outer shell having been removed. Therefore, those who have earned the merit of praise are those who have devoted their best efforts to the cause of the beatification of the Servant of God, Joseph Gafasso, before the Apostolic See, and who have brought it forward with promptness and diligence to this particular inquiry, which concerns virtues. Indeed, this was decided in the two preceding Congregations, namely, the preparatory and the preparatory congregations, when it was discussed, in a general Congregation, which was convened on the fifteenth day of this month, before the Most Holy Lord, our Pope Benedict XV. In which the Most Reverend Cardinal Caietano Bisleti, the Relator of the cause, proposed the following question for discussion: Whether it is established that the venerable Servant of God, Joseph Gafasso, in the heroic degree, in the case and to the effect of which we are speaking, possessed the theological virtues of Faith, Hope, and Charity in God and in his neighbor, as well as the cardinal virtues of Prudence, Justice, Fortitude, and Temperance, and their related

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qualities? The Most Reverend Cardinals and Fathers Consultors, each in turn, gave their votes, and, with joyful and willing hearts, the Most Holy Lord, our Pope, ordered that, in the meantime, prayer be offered.

[*Latin ed. p. 162*]

162 Acta Apostolicae Sedis - The official commentary deemed the time appropriate, and He decided to postpone His declaratory judgment; and although He had determined to issue it later, He chose today, the third Sunday of Lent. Therefore, the Most Reverend Cardinals Anthony Vico, Bishop of Porto and Santa Rufina, Prefect of the Sacred Congregation of Rites, and Caietan Bisleti, Relator of the cause, together with the Reverend Father Angelo Mariani, General Promoter of the Faith, and myself, together with the undersigned Secretary, and those present, were summoned to the Vatican Basilica, where He solemnly declared: "It is established that the theological virtues of Faith, Hope, and Charity in God and in one's neighbor, as well as the cardinal virtues of Prudence, Justice, Fortitude, and Temperance, and those things connected with them, are present in the venerable Servant of God, Joseph Cafasso, in heroic degree, in every circumstance and in every effect, concerning which this matter is being considered." He ordered that this Decree be made public and recorded in the acts of the Sacred Congregation of Rites, on the third day before the Kalends of March, in the year 1921.)$(A. CARD. VICO, Bishop of Porto and Santa Rufina, Prefect of the Sacred Congregation. L. * S. ' ' Alexander Verde, Secretary. SACRED CONGREGATION FOR THE EASTERN CHURCHES. Naming, January 25, 1921. — By Apostolic Brief, the Apostolic Delegate to Egypt and Arabia, the Most Reverend and Illustrious Bishop of Fabriano and Matelica, Reverend Monsignor Andreas Cassulo, was appointed.

[*Latin ed. p. 163*]

163. Apostolic Penitentiary Acts. SACRED APOSTOLIC PENITENTIARY. SECTION ON INDULGENCES. I. DECLARATION AND INDULT regarding the custom of adding certain words of salutation to the Angelic Salutation in the recitation of the Rosary. In the recitation of the Holy Rosary, in order to facilitate the meditation of the mysteries, a custom prevails in certain regions of adding, after the word "Jesus," a brief enunciation of the mystery being meditated to each salutation, so that, for example, it is said: "Jesus, fruit of the womb of the Virgin Mary, who for our sake shed your blood." However, according to canon 934 § 2 of the Code of Canon Law, which states that indulgences attached to any prayer are immediately lost due to any addition, subtraction, or interpolation; a certain petitioner privately inquired: "Whether the aforementioned custom can be maintained and promoted, while the indulgences attached to the Holy Rosary remain intact." And on July 27, 1920, this Sacred Penitentiary responded: Negatively. However, after this response had

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been disseminated to the aforementioned petitioner, certain Ordinaries of Switzerland (Helveticae) and Germany (Germanicae) reported that the aforementioned custom had existed in their dioceses for a long time, to the point that it could not be removed without causing scandal and disturbance to the faithful; moreover, the Most Holy Pope Pius IX, in the year 1859, mercifully granted an indulgence to those places where the custom had already prevailed, so that the faithful reciting the Rosary in this manner could obtain the same indulgences. Therefore, after mature deliberation, the Sacred Penitentiary decided: 1) to declare that canon 934 § 2 of the Code of Canon Law contains a general law which in no way revokes the aforementioned indulgence; 2) to petition the Most Holy Pope for an extension of the same indulgence, for the benefit of all those who are accustomed to recite the Holy Rosary in this manner in any place.

[*Latin ed. p. 164*]

164 Acta Apostolicae Sedis - Official Commentary. Concerning the aforementioned matters, a report was presented to His Most Holy Lordship, Pope Benedict, of blessed memory, Pope XV, by the undersigned Cardinal Major Penitentiary, in an audience on the 21st of this month. His Holiness approved the declared declaration and, with paternal kindness, deigned to grant the extension of the indulgences, as mentioned above. Given in Rome, in the Sacred Penitentiary, on the 22nd of January, 1921. O. L. * CARD. GIORGI, Major Penitentiary. s. F. Borgongini Duca, Secretary.

A QUESTION REGARDING INDULGENCES COMMONLY CALLED "APOSTOLIC." Whether Canon 924 § 2 of the Code of Canon Law, according to which "Indulgences attached to crowns or other objects cease to have effect only when the crowns or other objects cease to exist or are sold," has abrogated the decree of the Most Holy Alexander VII, issued on February 6th of the year 1657, which has been renewed at the beginning of each pontificate by each Supreme Pontiff, and also confirmed on September 5th of the year 1914 by His Most Holy Lordship, Pope Benedict, of blessed memory, Pope XV, in which it is expressly declared that indulgences commonly called "Apostolic," attached to crowns or other objects, are so attached that they do not pass to the person for whom such objects were blessed, or to those to whom they were first distributed, and that likewise these objects cannot be lent or given to others for the purpose of granting the indulgences?

The Sacred Apostolic Penitentiary, after mature deliberation, decided that the answer is: Affirmative. This answer, presented by the undersigned Cardinal Major Penitentiary to His Most Holy Lordship on the 4th of the aforementioned month of February, was approved, confirmed, and ordered to be made public by His Holiness. Given in Rome, in the Sacred Penitentiary, on the 18th of February, in the year 1921. O. CARD. GIORGI,

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Major Penitentiary. L. © S. ● F. Borgongini Duca, Secretary.

[*Latin ed. p. 165*]

165 The Apostolic Penitentiary, in its third decree, raises the following doubts concerning indulgences attached to feasts, when these are transferred: "Considering canon 922 of the Code of Canon Law, the following questions have been proposed: 'When a feast, to which an indulgence is attached, is legitimately transferred, but only in time, and without solemnity or external celebration, is it asked: 1. Does the indulgence cease on the day to which it is attached? And, to the extent that the answer is negative, does 2. Does it remain, and does it remain even when the feast is transferred to coincide with a Friday?'" The Sacred Penitentiary responded affirmatively to both questions: Regarding 1, negatively; Regarding 2, to the extent that the answer is negative, affirmatively. After considering the above, a report was made to His Most Holy Lordship, Benedict, of the Province of Paris, by the undersigned Major Penitentiary Cardinal, in an audience on the 4th of this month. His Holiness approved the responses and ordered them to be published. Given in Rome, in the Sacred Penitentiary, on the 18th of February, in the year 1921. O. L. S. CARD. GIORGI, Major Penitentiary. F. Borgongini Duca, Secretary.

SACRED ROMAN ROTA

1. Cases heard before the Sacred Roman Rota in the year 1920, of which the definitive sentence is published only in part.

I. N. N. (under seal). - DEFAMATION AND RESTITUTION OF DAMAGES.

Turnus Botalis: M. Massimi, Ponens; I. Grazioli, F. Parrillo. Advocates: V. Sacconi, A. D'Alessandri.

Doubt: "Should the sentence of the Rota of August 11, 1917, be confirmed or infirm?"

Definition given on January 5th: "The sentence of the Rota is to be confirmed, or it does not consist of an injury, defamation, or damage, so that there is a place for restitution and the restoration of damages in this case."

[*Latin ed. p. 166*]

166 Acta Apostolicae Sedis - Official Commentary I, No. N. (under seal). - Regarding the fear of the NULLITY of marriage, based on force and on the part of the woman. Rotal Court: I. Prior, Presiding; A. Sincero; F. Cattani Amadori. Defender of the Bond: Henr. Quattrocoio. Advocate: N. Ferrata. Doubt: "Whether the nullity of the marriage is established, in this case." Definition given on January 16: "That the nullity of the marriage is established."

III. PARISIAN. - Regarding the NULLITY of marriage, based on the de-

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fect of license, due to the clandestine assistance of the priest at the marriage. Rotal Court: P. Rossetti, Presiding; M. Massimi; I. Grazioli. Defender of the Bond: Advocate: N. Henr. Quattrocoio. Ferrata. Doubt: "Whether the Rotal judgment of July 9, 1918, should be confirmed or overturned, in this case." Definition given on January 23: "That the Rotal judgment should be confirmed, or that the nullity of the marriage is not established."

IV. TARENTINA. - Regarding the NULLITY of marriage, based on the judgment of force and the fear of the woman. Rotal Court: R. Chimenti, Presiding; M. Massimi; I. Grazioli. Substitute Defender of the Bond: C. Conte. Advocate: Henr. Benvignati. Doubt: "Whether the nullity of the marriage is established, in this case." Definition given on January 28: "That the nullity of the marriage is established, in this case."

V. PHILADELPHIEN. - Regarding the NULLITY of marriage, based on the defect, or on the marriage contracted before a civil magistrate in the United States of America. Rotal Court: F. Cattani Amadori, Presiding; M. Massimi; F. Parrillo. Substitute Defender of the Bond: C. Conte. Advocates: V. Sacconi; A. Masella. Doubt: "Whether the nullity of the marriage is established, in this case." Definition given on February 9: "That the nullity of the marriage is established."

VI. Vicariate Apostolic of UGANDA. - Regarding the NULLITY of marriage, based on force and on the part of the woman. Rotal Court: A. Sincero, Presiding; F. Cattani Amadori; P. Rossetti.

[*Latin ed. p. 167*]

167. The Roman Rota, acting as Defender of the Bond: Advocate: Alb. Di Iorio. Counsel: Conte. Question: "Does the nullity of the marriage exist, in this case?" Definition given on February 27th: "The nullity of the marriage exists, in this case."

VII. PARISIAN. - NULLITY OF MARRIAGE, based on the defect of consent on the part of the husband, or due to the simulation of consent. The Rota of Tournus: F. Cattani Amadori, presiding; P. Rossetti; R. Chimienti. Defender of the Bond: Advocate: V. Sacconi. Counsel: Conte. Question: "Does the nullity of the marriage exist, in this case?" Definition given on March 13th: "The nullity of the marriage does not exist, in this case."

VIII. VLADISLAVIEN. - NULLITY OF MARRIAGE, based on the domicile of the betrothed, or on the clandestine nature of the marriage. The Rota of Tournus: I. Prior, presiding; A. Sincero; F. Cattani Amadori. Defender of the Bond: Henr. Marinelli. Advocate: F. Quattrocolo. Question: "Does the nullity of the marriage exist, in this case?" Definition given on March 16th: "The nullity of the marriage exists, in this case."

IX. N. N. (under seal). - NULLITY OF MARRIAGE, based on the defect of consent on the part of the husband, or due to the simulation of consent, or based on coercion and fear. The Rota: M. Massimi, presiding; F.

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Parrillo; F. Solieri. Defender of the Bond: Henr. Quattrocolo. Advocate: A. D'Alessandri. Questions: "1. Does the nullity of the sentence pronounced by the Tribunal of Piacenza on July 1st, 1918, exist, in this case?" — "2. Does the nullity of the marriage exist, in this case?" Definition given on March 16th: "1. For the purpose of the competence of the S. Roman Rota, the nullity of the sentence pronounced by the Tribunal of Piacenza on July 1st, 1918, does not exist." — "2. The nullity of the marriage exists, in this case."

X. VICARIATE APOSTOLIC OF MONGOLIA ORIENTALIS. - NULLITY OF MARRIAGE, based on the impotence of the woman.

[*Latin ed. p. 168*]

168 Acta Apostolicae Sedis - Official Commentary, Turnus Rotalis: P. Rossetti, presiding; M. Massimi, F. Solieri. Defender of the Bond: Henry Quattrocoio. Advocate: A. D'Agata. Question: "1. Does it appear that there is a nullity in the marriage in this case? And in what respect negatively; — 2. Does it appear that the marriage was not consummated in this case, so that it is necessary to consult with the Most Holy Father regarding a dispensation concerning a marriage that is valid but not consummated?" Definition given on March 25: "Regarding the first, provision will be made in the second. — Regarding the second, it appears that the marriage is valid but not consummated." XI. N. N. (under seal). Regarding the possibility of NULLITY OF MARRIAGE, on the grounds of force and fear of the woman. Turnus Rotalis: F. Cattani Amadori, presiding; P. Rossetti, F. Parrillo. Defender of the Bond: Advocate: V. Henry Quattrocoio. Sacconi. Question: "Does it appear that there is a nullity in the marriage in this case?" Definition given on March 26: "It appears that there is a nullity in the marriage." XII. NICOPOLITANA. Regarding the possibility of NULLITY OF MARRIAGE, on the grounds of force and fear of the woman. Turnus Rotalis: S. Many, presiding; I. Prior, A. Sincero. Defender of the Bond, substituted: C. Conte. Advocate: A. D'Agata. Question: "Does it appear that there is a nullity in the marriage in this case?" Definition given on May 4: "It appears that there is a nullity in the marriage." XIII. N. N. (under seal). Regarding the possibility of NULLITY OF MARRIAGE, on the grounds of a defect of consent on the part of the woman, or because of a condition imposed and not purified. Turnus Rotalis: I. Prior, A. Sincero, presiding; I. Grazioli. Defender of the Bond, substituted: C. Conte. Advocates: C. Astorri, N. Patrizi. Question: "Does it appear that there is a nullity in the marriage in this case?" Definition given on May 19: "It does not appear that there is a nullity in the marriage." XIV. CADURCBN. Regarding the possibility of NULLITY OF MARRIAGE, on the grounds of a defect of consent on the part of the man, or because of a condition imposed and not fulfilled. Turnus Rotalis: R. Chimenti, M. Massimi, I. Grazioli, presiding.

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Defender of the Bond, substituted: C. Conte. Advocate: N. Patrizi.

[*Latin ed. p. 169*]

169 S. "The Roman Rota of Doubts: 'Whether it is established that a marriage is null, in this case.' Definition given on June 7: 'It is established that a marriage is null, in this case.' XV. NULLITY OF MARRIAGE, arising from coercion and fear on the part of the woman. Roman Tribunal: P. Rossetti, presiding; M. Massimi; F. Solieri. Defender of the Bond: Henr. D'Alessandri. Advocate: A. Quattrocolo. Doubt: 'Whether the sentence of the Roman Tribunal of July 31, 1915, should be confirmed or annulled, in this case.' Definition given on June 11: 'The sentence of the Tribunal should be confirmed, or it is not established that the marriage is null.' XVI. LONDON. - DEFAMATION AND PENALTIES. Roman Tribunal: A. Sincero, presiding; F. Cattani Amadori; I. Grazioli. Promoter of Justice: R. Vicentini. Advocates: V. Sacconi; A. D'Alessandri. Doubts: '1. Whether the exceptions of incompetence were legitimately rejected by the London Tribunal, in this case.' — '2. Whether the penalties imposed by the Bishop, in this case, are unjust.' — '3. Whether it is established that the recurrent parties were defamed by the Bishop, so that there is a basis for compensation, in this case.' — '4. Whether it is established rather that the Bishop was defamed by the recurrent parties, so that there is a basis for compensation, in this case.' — '5. Whether it is established that there were attempts to intimidate, due to the sentence issued by the Bishop of London on April 9, 1915, so that there is a basis for purgation and compensation for damages.' — '6. Whether the expulsion of the priest St. Cyr from the parish and from the diocese of London is justified, in this case.' — '7. Whether and how provision should be made in favor of the priest St. Cyr, in this case.' Definition given on June 15: 'Regarding 1. Affirmative, with regard to the exceptions of incompetence raised by the priests Loiselle, L'Hereux, and Langlois; negative, with regard to the exception of suspicion raised against the priest Langlois.' — 'Regarding 2. Negative with regard to the priest Loiselle; affirmative with regard to the penalty imposed on the priest L'Hereux.' — 'Regarding 3. Negative.' — 'Regarding 4. Negative: and the declaration signed by certain priests on March 25, 1913, and sent to the Sacred Roman Rota, should be considered as deleted from the records of the case of London. Dismissal of August 5, 1914.' — 'Regarding 5. Negative.' — 'Regarding 6. Affirmative, with the proviso that the priest St. Cyr retains his right to honest sustenance.' — 'Regarding 7. Provision was made by a decree of the Tribunal of April 13, 1917.' ACTS, vol. XIII, no. 4. — 11-3-1921. 12

[*Latin ed. p. 170*]

170 Acta Apostolicae Sedis - Official Commentary XVII. MOLINENSIUS. - REGARDING JURISDICTIONAL MATTERS. Turnus (Tournus) Rotalis: I. Prior, presiding; F. Parrillo, F. Solieri, assessors. Advocates: V. Sacconi,

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V. Pozzan. Question: "Whether the decision of the Rotunda of August 27, 1917, should be confirmed or annulled in this case." Definition given on June 17: "The decision of the Rotunda should be annulled, according to the following manner: Regarding the first question, namely: 'Whether the rights pertaining to the priest Bujon in the church of St. Joan of Arc include rights as founder, as patron, or by any other title?': - To the priest Bujon, in the church of St. Joan of Arc, besides the honorary rights, the faculty to perform non-parochial functions is granted, as he is the immovable Rector of the church according to the law of its foundation.' - Regarding the second question, namely: 'Whether, in this case, the priest Bujon is entitled to a share of the renovations or expenses incurred for the construction of the church, either due to the rights denied in the first question or due to the expenses themselves?': - Considering the renunciation of the priest Bujon, there is no basis for a response." XVIII. PARISIENSIS. Regarding the woman, and - NULLITY OF MARRIAGE, due to a condition imposed that was not purified. Turnus Rotalis: F. Cattani Amadori, presiding; P. Rossetti, I. Grazioli, assessors. Defender of the Bond: Henr. Quattrocoio. Advocates: N. Ferrata, V. Sacconi. Question: "Whether the nullity of the marriage is established in this case." Definition given on June 19: "The nullity of the marriage is established." XIX. PARISIENSIS. - NULLITY OF MARRIAGE, due to coercion and fear on the part of the woman. Turnus Rotalis: I. Prior, presiding; A. Sincero, F. Cattani, assessors. Defender of the Bond: Henr. Quattrocoio. Advocate: N. Ferrata. Question: "Whether the decision of the Rotunda of June 12, 1919, should be confirmed or annulled in this case." Definition given on July 1: "The decision of the Rotunda should be confirmed, that is, the nullity of the marriage is established." XX. N. N. (under seal). - REGARDING PROPERTY OR A PIOUS CAUSE. Turnus Rotalis: M. Massimi, presiding; F. Parrillo, T. Florczak, assessors. Promoter of Justice: R. Vicentini. Advocates: A. D'Alessandri, A. Carabini.

[*Latin ed. p. 171*]

171. "The Roman Rota poses the following question: '1. Does a pious cause exist in this case?' — '2. In what manner and to whom should the Order X be obligated to restore the goods which it received from the Most Reverend Lord N. N. for the alleged pious work in this case?' The definition was given on July 9th: '1. It is established that a pious work exists.' — '2. The Order is to be held obligated to restore the disputed goods to the Ordinary, for the benefit of the parish of Y, according to the manner to be expressed in the extension of the sentence."

XXI. SAINT ANGELS OF LOMBARDY. – JURISDICTIONAL MATTERS, Turnus Rotalis: I. Prior, Ponens, I. Grazioli, F. Parrillo. Promoter of Justice: R. Vicentini. Advocates: T. Ambrosetti, V. Sacconi. The question posed: "Does the Rotal sentence of February 28, 1919, stand, or should it be annulled in this case?" The definition was given on July 16th: "The Rotal sentence is

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to be confirmed according to the following: Regarding point 1: 'Does the distribution to be made of the sum of 27,809.80 lire, which the Archpriest of Novia received from the Administration, commonly known as the "Fondo del Culto," need to be made?' — 'The distribution of the disputed sum is to be made in all respects as in the decree of the Bishop of July 21, 1912.' — 'Regarding point 2: 'In what manner should the annual allocation to be paid by the same Administration in the future be disbursed, and by whom should it be administered in this case?' — 'It is to be in accordance with the same decree of the Bishop of July 21, 1912, furthermore stipulating that all judicial expenses are to be borne by the plaintiff, the Archpriest of Novia.'"

XXII. PADUA. – NULLITY OF MARRIAGE, based on the grounds of the wife's mental incapacity. Turnus Rotalis: I. Prior, Ponens, I. Grazioli, F. Parrillo. Defender of the Marriage: Advocate: T. Henr. Quattrocolo, Ambrosetti. The question posed: "Does the nullity of the marriage exist in this case?" The definition was given on July 27th: "The nullity of the marriage does not exist."

XXIII. PARIS. – NULLITY OF MARRIAGE, based on the grounds of the husband's impotence. Turnus Rotalis: P. Rossetti, Ponens, R. Chimenti, M. Massimi. Substitute Defender of the Marriage: C. Conte. Advocate: H. Benvignati. The question posed: "Does the nullity of the marriage exist in this case?" The definition was given on July 29th: "The nullity of the marriage exists."

[*Latin ed. p. 172*]

172. Acta Apostolicae Sedis - Official Commentary XXIV. and the fear of N. N. (under seal). On the part of the woman. NULLITY OF MARRIAGE, according to the law of Tournus: I. Prior, Presiding, F. Solieri, I. Florczak. Defender of the Bond: Henr. Quattrocoio. Advocate: V. Sacconi. Doubt: "Whether the sentence of the Rota of March 26, 1920, should be confirmed or annulled, in this case." Definition given on August 19: "The sentence of the Rota is to be confirmed, that is, it is declared that the marriage is null." XXV. PARISIAN. - DISPENSATION OF MARRIAGE. Rota: I. Grazioli, Presiding, F. Parrillo, F. Solieri. Defender of the Bond: Advocate: N., substituted by: C. Conte. Ferrata. Doubt: "Whether counsel should be given to the Most Holy [Father] for a dispensation concerning a marriage that is valid but not consummated, in this case." Definition given on August 17: "Counsel should be given to the Most Holy [Father] for a dispensation concerning a marriage that is valid but not consummated." XXVI. BOLOGNESE. On the part of the man. NULLITY OF MARRIAGE, according to the law and the fear of the man. Rota: A. Sincero, Presiding, F. Cattani Amadori, P. Rossetti. Defender of the Bond: Advocate: V. Henr. Quattrocoio. Sacconi. Doubt: "1. Whether the marriage is declared null in this case." And, if negatively: "2. Whether counsel should be given to the Most Holy [Father] for a dispensation concerning a marriage that is valid but not consummated."

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Definition given on August 17: "1. Provision will be made in the second [point]." — "2. Counsel should be given to the Most Holy [Father] for a dispensation concerning a marriage that is valid but not consummated." XXVII. And the fear of JERUSALEM. On the part of the woman. NULLITY OF MARRIAGE; according to the law of the woman. Rota: I. Prior, Presiding, F. Cattani Amadori, P. Rossetti. Defender of the Bond: Advocate: Henr. Quattrocoio. Benvignati. Doubt: "Whether the marriage is declared null in this case." Definition given on October 27: "It is declared that the marriage is null." XXVIII. According to the law and the fear of the woman. VIC. APOST. OF FIANARANTSOA. NULLITY OF MARRIAGE.

[*Latin ed. p. 173*]

173 The Roman Rota of Tournus: I. Prior, Ponens, I. Solieri, I. Florczak. Defender of the Bond: Henr. Quattrocolo. Advocate: N. Patrizi. Question: "Whether, in this case, the nullity of the marriage is established." Definition given on November 16: "The nullity of the marriage is established." XXIX. From the Parisian side. - NULLITY of marriage, concerning the woman, due to coercion and fear. The Rota of Tournus: F. Cattani Amadori, Ponens, P. Rossetti, R. Chimenti. Substitute Defender of the Bond: C. Conte. Advocates: N. Ferrata, V. Sacconi. Question: "Whether, in this case, the nullity of the marriage is established." Definition given on December 15: "The nullity of the marriage is established." II. Causes which, in the same year, 1920, were either concluded or which, without a final judgment, came to an end due to particular circumstances. 1. MARSEILLE. - NULLITY of marriage, concerning the woman, before the Reverend Father D. ROSSETTI, due to coercion and fear. Since the Rota of Tournus had responded on February 8, 1915: "Let the proceedings be extended and completed," and since the Reverend Curia of Marseille had never responded to the request, the Ponens ordered on May 5 that the case be placed in the Archive of the Holy Tribunal. 2. NANNETEN. - NULLITY of marriage, concerning the clandestine nature related to the domicile or quasi-domicile of the spouses, before the Reverend Father D. PRIOR. Due to the declaration of the plaintiff's attorney not to pursue the appeal, the Ponens ordered on June 15 that the position of the case be maintained in the Archive of the Holy Tribunal. 3. LUGANA. - CONFRATERNITY, before the Reverend Father D. CATTANI. Since the plaintiffs had not presented any procedural act from the month of July 1917 (when the benefit of free legal assistance was denied to them), the Ponens ordered on June 17 that the position of the case be maintained in the Archive of the Holy Tribunal.

[*Latin ed. p. 174*]

174 Acta Apostolicae Sedis - Official Commentary 4. FERMO. - Regarding the dispensation of Advent vows, before the Reverend Father Rector Cattani. Considering the appellant's renunciation, the cause

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concluded with a decree of the presiding judge on July 9th.

5. MEXICO CITY. - Regarding a solution, before the Reverend Father Massimi. Since the appellant did not present any procedural act against the judgment of the Mexican Tribunal of December 9th, 1918, and uselessly allowed the fatal two-month period to elapse, the presiding judge declared the appeal to be abandoned, and that the contested judgment had passed into finality, on November 26th.

6. BAYONNE. - Regarding the nullity of marriage, under the heading of clandestine marriage, relating to the domicile of the spouses or quasi, before the Reverend Father Many. Considering the declaration of the plaintiff's attorney that the cause should not be pursued, the case was placed back in the Archive on December 4th.

7. Vicariate Apostolic, regarding abduction, before the Reverend Father De Hupe Oriens. Regarding the nullity of marriage, under the heading of MASSIMI. On December 12th, the cause concluded due to the death of the spouse.

8. TRIESTE. - Regarding revenues and emoluments, before the Reverend Father Massimi. It was declared that the instance was to be considered concluded, and that the contested judgment of the Metropolitan Tribunal of Gorizia, dated May 21st, 1912, was to be enforced, on December 13th.

9. PARIS. - Regarding the nullity of marriage, on the part of the husband, under the heading of lack of consent, before the Reverend Father Parrillo. Considering the renunciation of the plaintiff, the cause concluded on December 16th.

From the Chancery, January 15th, 1921.

L. & S. T. Tani, Notary.

[*Latin ed. p. 175*]

175. The Roman Rota II. Citatory edict concerning the VICARIATE APOSTOLIC OF EGYPT, regarding the NULLITY OF MARRIAGE (MUSARELLI-DE VANNES). Since, from the records of the process carried out in the Vicariate Apostolic of Egypt, it appears that the aforementioned Lady Mary Aloisia De Vannes, present in this cause, cannot be found, we hereby summon her, by this edict, to appear, either in person or through a lawfully constituted procurator, before Us, in the seat of the Tribunal of the Holy Roman Rota (Palazzo Dataria, via della Dataria, number 94), on the twentieth day of the month of May, in the year 1921, at the eleventh hour, to discuss the following question or to subscribe to the following statement, and to designate a date for the Rotal Turn for the definition of the cause. With the Reverend Promoter of Justice of the Holy Roman Rota present. QUESTION. Does it appear that there is a nullity in the marriage in this case? The Ordinaries of the place, Parish Priests, Clergy, and all faithful who have knowledge of the domicile or place of residence of the

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aforementioned Lady, ought to take care, if and to the extent that it is possible, to inform her of this edictary citation. Given in Rome, on the fourteenth day of February, in the year 1921. Johannes Prior, Prefect. E. © From the Chancery, on the nineteenth day of February, in the year 1921. T. Tani, Notary of the Holy Roman Rota.

[*Latin ed. p. 176*]

Acts of the Apostolic See - Official Commentary 176, Translation. TRIBUNAL OF THE HOLY ROMAN ROTA, ROME. Citation by edict. APOSTOLIC VICARIATE OF EGYPT, NULLITY OF MARRIAGE (MUSARELLI-DE VANNES). Since it is established from the acts of the process which was conducted in the Apostolic Vicariate of Egypt, that Madame Marie Louise De Vannes, defendant in this cause, cannot be found, at the instance of the Promoter of Justice of the Holy Roman Rota, we cite, by this present edict, the aforementioned defendant to appear in person or by a legitimately constituted procurator, before Us at the seat of the Tribunal of the Holy Roman Rota (Rome, Palazzo della Dataria, Via della Dataria, no. 94) on May 20, 1921, at 11 o'clock in the morning, to subscribe to the doubt reported below, and to fix the date for the presentation of the cause before the Rota. DOUBT. Is it established that the marriage is null in the present case? The Ordinaries of the places, the Curés, the priests, and the faithful, having knowledge of the domicile or the place of residence of the aforementioned defendant, must, insofar as possible, inform her of this citation. Given at Rome, February 14, 1918; Jean L. © From the Chancery, on February 19, 1921. T. Tani, Notary of the Holy Roman Rota. Prior, Ponens.

[*Latin ed. p. 177*]

Pontifical Commission for the Authentic Interpretation of the Code of Canon Law 177

ACTS OF THE OFFICES

PONTIFICAL COMMISSION

FOR THE AUTHENTIC INTERPRETATION

OF THE CANONS OF THIS CODE

DOUBTS RESOLVED IN PLENARY ASSEMBLIES

I. In certain Institutes, simple vows are taken under this or a similar condition: "Until I live in the Congregation," so that a student, whether

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he departs of his own accord or is dismissed by his Superiors, is thereby freed from his vows.

Hence, the question:

1°. In these Institutes, must a three-year period of temporary vows precede such a profession, according to canon 574?

2°. In the dismissal of students who have made a similar profession, must canons 647-648 regarding the dismissal of religious who have made temporary vows be observed, or canons 649 and following regarding the dismissal of those who have made perpetual vows?

Answer:

1°. No.

2°. For those who have already taken vows under this condition, canons 646, 647, and 648 are to be observed.

II.

In canon 681, it is prescribed that in the dismissal of students of Societies without vows, canons 646-672, which concern the dismissal of religious, are to be observed. Since these canons prescribe different things, according to the diversity of cases of temporary or perpetual vows, the question arises: to which case should the prescription of the aforementioned canon 681 be referred, since it concerns students who have made no vows?

Answer:

If the bond by which the members of the Society without vows are bound is temporary, the canons concerning the dismissal of religious who have made temporary vows are to be observed; if it is perpetual, the canons concerning the dismissal of religious who have made perpetual vows are to be observed.

[*Latin ed. p. 178*]

Acts of the Apostolic See - Official Commentary 178 III. Concerning certain Religious Congregations under pontifical law, in the formula of profession, no mention is made of the Superior, but only of the Bishop or his delegate. The question arises: 1° Whether the Bishop or his delegate is to be considered the legitimate Superior for the purpose of receiving the profession, according to the constitutions, as stated in canon 572, § 1, no. 6. 2° Whether, according to the papal law of enclosure, as stated in canons 597-600, monks are also included, whose vows, although they should be solemn according to the Institute, are nevertheless, in some places, simple, according to the prescription of the Apostolic See.

Answer: 1° Affirmative, as possessing a legitimate mandate. 2° Negative, due to the papal indult still in force.

IV. Whether, according to canon 1045, § 1, the clause "as often as an impediment arises, when all is already prepared for the marriage," should

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be understood strictly, that is, that the impediment was previously entirely unknown and only arises then, or rather, that, although previously known, it is only then brought to the knowledge of the Parish Priest or Ordinary.

Answer: Negative, at Rome, March 1, 1921.

PETRUS, affirmative on point 1.

CARD. GASPARRI, President.

Aloisius Sincero, Secretary.

[*Latin ed. p. 179*]

Diarium Romanae Curiae 179 DIARIUM ROMANAE CURIAE S. CONGREGATIONIS RITUM. Tuesday, February 15, 1921, in the Apostolic Palace at the Vatican, before the august presence of the Holy Father, the General Congregation of Sacred Rites was held, in which the Eminent and Reverend Lords Cardinals, the Reverend Prelates, and the theological consultants comprising the same, discussed and gave their vote on the doubt concerning the heroism of the virtues exercised by the Venerable Servant of God, Joseph Cafasso, a secular priest, Rector of the ecclesiastical college in Turin. Tuesday, March 8, 1921, at the residence of the Eminent and Reverend Cardinal Anthony Vico, Prefect of the Sacred Congregation of Rites, Promoter of the Cause of Beatification and Canonization of the Venerable Anne Magdalene Remuzat, a professed nun of the Order of the Visitation, the Preliminary Congregation was held to discuss the doubt concerning the heroism of the virtues exercised by the same Venerable Servant of God.

SECRETARY OF STATE, BY ORDER. With tickets from the Secretary of State, the Holy Father "deigned to appoint: February 10, 1921. The Eminent Cardinal Vittorio Amedeo Ranuzzi de Bianchi, Protector of the Monastery of the Augustinian Nuns in Santa Prisca. March 17. The Eminent Cardinal Oreste Giorgi, Protector of the Institute of the Franciscan Tertiary Sisters, of Buenos Aires. March 25. The Eminent Cardinal Lodovico Billot, Protector of the Institute of the Sacred Family, of Villefranche de Rouergue, in the diocese of Rodez. March 27. The Eminent Cardinal Michele Lega, Protector of the Benedictine Nuns Adorers of the Most Holy Sacrament. March. The Eminent Cardinals Andrea Frühwirth and Donato Sbarretti, Members of the Cardinal Commission for the Work of the Preservation of the Faith, in Rome.

[*Latin ed. p. 180*]

180 8 » » 10 Acta Apostolicae Sedis - Commentarium' Officiale, March 1921. The Most Reverend Cardinal Anthony Vico, Protector of the Congregation of the Daughters of St. Joseph of Gerona (Spain). » » The Most Reverend Cardinal Gennaro Granito Pignatelli di Belmonte, Protector of the Religious Sisters of Zitine of Lucca. » » Monsignor Francesco Moretti, Titular Archbishop of Laodicea of Theodoriade, General Auditor of the

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Most Reverend Apostolic Chamber. » » Reverend Fathers Giacinto Leca, of the Order of Preachers, and Luigi of St. Francis of Paola, of the Passionists, Consultors of the Sacred Congregation of Rites. With letters from the Secretariat of State, dated February 24, 1921, the Holy Father deigned to appoint the following Most Reverend Monsignors to bear, as Apostolic Delegates, the cardinal's biretta to the following Prelates, residing abroad, who were invested with the Sacred Purple in the secret Consistory of March 7, 1921: Monsignor Francesco Vagni, Auditor of the Apostolic Nunciature of Spain, to the Most Reverend Monsignor Francesco Ragonesi, Apostolic Nuncio in Spain; Monsignor Giuseppe Pizzardo, Under-Secretary of the Sacred Congregation for Extraordinary Ecclesiastical Affairs, to the Most Reverend Monsignor Giovanni Benlloch y Vivó, Archbishop of Burgos; Monsignor Luigi Capotosti, Secretary of the Apostolic Almonry, to the Most Reverend Monsignor Francesco d'Assisi Vidal y Barraquer, Archbishop of Tarragona. Similarly, with letters from the Secretariat of State, the Holiness of Our Lord deigned benignly to appoint the following Noble Guards to bear, as Cabinet Messengers, the announcement of the elevation to the Sacred Purple and to present the cardinal's zucchetto to the following Prelates, residing abroad, who were invested with the Sacred Purple in the secret Consistory of March 7, 1921: the Honorable Count Carlo Pocci, to the Most Reverend Monsignor Francesco Ragonesi, Apostolic Nuncio in Spain; the Honorable Count Guglielmo Aluffi Pentini, to the Most Reverend Monsignor Giovanni Benlloch y Vivó, Archbishop of Burgos; the Honorable Count Giuseppe Salimei, to the Most Reverend Monsignor Francesco d'Assisi Vidal y Barraquer, Archbishop of Tarragona.

[*Latin ed. p. 181*]

From the Roman Curia Diary, 181. CONGREGATIONS ASSIGNED TO THE ILLUSTRIOUS CARDINALS. With notes from the Secretary of State, the Holy Father has deigned to assign the following Sacred Congregations to the new Illustrious and Reverend Lords Cardinals, who, in the public Consistory on the 10th of the current month, received the cardinal's hat: To the Illustrious Cardinal Michael de Faulhaber, the Sacred Congregations: of the Sacraments, of the Council, of Rites, and of Seminaries and Universities. To the Illustrious Cardinal Dionysius Dougherty, the Sacred Congregations: of the Sacraments, of Propaganda Fide, of Rites, and for the Eastern Church. To the Illustrious Cardinal Charles Joseph Schulte, the Sacred Congregations: of Religious Orders, of Propaganda Fide, of Ceremonies, and of Seminaries and Universities. With Apostolic Briefs, the Holy Father has deigned to appoint: Assistants to the Papal Throne: December 18, 1920. Monsignor Valerius Traianus Frentiu, Greek-Ruthenian Bishop of Lugos. January 25, 1921. Monsignor Luigi M. Marelli, Bishop of Bergamo. Apostolic Protonotaries *ad instar participantium*: February 14, 1921. Monsignor James Pompen, of the diocese of Bois-le-Duc. February 16.

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Monsignor Joseph Blandamura, of the archdiocese of Taranto. February 22. Monsignor Daniel O'Brien, of the diocese of Galloway. March 1. Monsignor Leonida Feodorow, Exarch of the Catholics of the Slavic Rite in Russia. Domestic Prelates of His Holiness: August 14, 1920. Monsignor Thomas Flannery, of the diocese of Grand Rapids. November 22. Monsignor Richard Barry-Doyle, of the diocese of Ferns. January 15, 1921. Monsignor Cesare Ross, of Rome. January 20. Monsignor Joseph Memngian, patriarchal vicar for the Armenians in Jerusalem. January 25. Monsignor James Magee, of the diocese of Syracuse. January 26. Monsignor Charles Drevel, of the diocese of Bressanone. January 29. Monsignor Emiliano Schopfer, of the same diocese. February 1. Monsignor Joseph Maria Giovanni Wack, of the diocese of Saint Anthony in Texas.

[*Latin ed. p. 182*]

Acta Apostolicae Sedis - Official Commentary, 182, February 14, 1921. Monsignor Riccardo Lee, of the diocese of Porto Luigi.

15. Monsignor Gaetano Pavone, of the diocese of Capaccio Vallo.

16. Monsignor Antonio Bartoloni, of the archdiocese of Trani.

18. Monsignor Giuseppe Macrì, of the diocese of Gerace.

HONORS:

With Apostolic Briefs, the Holy Father deigned to bestow the following honors:

The Cross of the Supreme Order of Christ: February 15, 1921.

To His Royal Highness, Prince Felice de Bourbon-Luxembourg.

The Commanderate of the Order of Saint Gregory the Great, civil class: February 18, 1921.

To Mr. Knight Michele Giuseppe Atleta, of the archdiocese of Turin.

25. To Mr. Adolfo Badetti, Consul of Belgium in Adrianople.

26. To Mr. Antonio Alberto Hunink, of the archdiocese of Utrecht.

The Commanderate of the Order of Saint Gregory the Great, military class: January 31, 1921.

To Mr. Lieutenant Colonel Adamo Aerts, of the archdiocese of Malines.

The Knighthood of the Order of Saint Gregory the Great, civil class:

November 23, 1920.

January 15, 1921.

21. To Mr. Giovanni F. O'Neill, of the diocese of Newark.

22. To Mr. Lorenzo Higgins, of the archdiocese of Armagh.

23. To Mr. Giacomo Archi, of the diocese of Faenza.

25. To Mr. Romolo Archi, of the same diocese.

26. To Mr. Giovanni Bragiotti, of the same archdiocese.

28. To Mr. Francesco Solari, of the same archdiocese.

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29. To Mr. Edoardo de Andria, of the same archdiocese.

12. To Mr. Alberto Schiemer, of the diocese of Bressanone.

15. To Mr. Giuseppe Eisenegger, of the same diocese.

19. To Mr. Count Luigi M. Florian Gouvon de Beaufort, of the diocese of Quimper.

23. To Mr. Elzearo Miville-Dechêne, of the archdiocese of Québec.

25. To Mr. Luigi Leman, of the diocese of Tournay.

26. To Mr. Giuseppe Herzen, of Rome.

28. To Mr. Federico Caesar, of the diocese of Harlem.

29. To Mr. Doctor Francesco Devay, of the archdiocese of Lione.

30. To Mr. Gustavo Couteaux, of Constantinople.

[*Latin ed. p. 183*]

Diarium Romanae Curiae, March 1, 1921. January 25, February 25, March. Pope Sylvester: Award of the Order of Saint Sylvester. Knighthood of the Order of Saint Sylvester: To Mr. Egisto Pellegrini, of the diocese of Livorno. To Mr. Ferdinando Salem, of Constantinople. To Mr. Nicola De Meis, of the diocese of Ferentino. To Mr. Lorenzo Marini, of Rome. March 25. To Mr. Knight Francesco Laurini, of Rome. 1921. On the 26th. To Mr. Count Commendatore Francesco Vitali, of the archdiocese of Fermo. To Mr. Commendatore Ernesto Kappenberg, of the archdiocese of Colonia. January of the Order, 1921. On the 25th.

HIS HOLINESS'S HOUSEHOLD APPOINTMENTS. By the grace of His Eminence, the Reverend Monsignor, the Holy Father has deigned to appoint:

Extraordinary Secret Chamberlains of His Holiness:

Monsignor Antonio Bezerra, of the diocese of Piauby.

Monsignor Aristeo Do Rego Barros, of the same diocese.

Monsignor Cicerone Portella Nunes, of the same diocese.

Monsignor Fernando Lopes e Silva, of the same diocese.

Monsignor Costantino Boson e Lima, of the same diocese.

January 18, 1921.

Monsignor Francesco Cocola, of the diocese of Bisceglie.

January 20.

Monsignor Luigi Santi, of the archdiocese of Modena.

January 28.

Monsignor Enrico Everts, of the diocese of Ruremonda.

Monsignor Enrico Joosten, of the same diocese.

January 29.

Monsignor Vincenzo López Garcia, of the diocese of Malaga.

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Monsignor Callisto Cesano, of the diocese of Pinerolo.

February 21, 1921.

Monsignor Luigi Di Francesco, of the diocese of Penne ed Atr.

Monsignor Luigi Concha, of the archdiocese of Bogotá.

August 4, 1920.

Secret Chamberlains of Sword and Mantle, Extraordinary of His Holiness:

Mr. Cristoforo de Paus, of the Apostolic Vicariate of Norway.

Mr. Giacomo Leser, of the diocese of Ratisbon.

[*Latin ed. p. 184*]

184 Acta Apostolicae Sedis - Official Commentary. Honorary Chamberlains, wearing the peacock blue cassock of His Holiness: February 22, 1921. Monsignor Giuseppe Suria, of the archdiocese of Turin.

24 Monsignor Giulio Mancini, of Rome.

Monsignor Giovanni Antonelli, of Rome.

Monsignor Girolamo Robba, of the diocese of Casale Monferrato.

Honorary Chamberlains of Sword and Cope, extraordinary, of His Holiness: February 22, 1921. Mr. Enrico Haas Spithöver, of Rome.

Secret Honorary Chaplain of His Holiness: February 4, 1921. Monsignor Emilio Boscarolli, of the diocese of Bressanone.

NECROLOGY, January 1921. Monsignor Federico Enrico Oury, titular Archbishop of Tolemaide in Egypt.

February: Monsignor Giovanni P. Farelly, Bishop of Cleveland (United States of America).

Monsignor Guglielmo Ambrogio Jones, Bishop of Porto-Rico.

18 Monsignor Sabatino Giani, Bishop of Livorno.

22 Monsignor Giuseppe Doubrava, Bishop of Königgrätz.

March 6: Monsignor Domenico Marinangeli, Latin Patriarch of Alexandria.

[*Latin ed. p. 185*]

Year XIII - Vol. XIII, April 4, 1921, No. 5. ACTA APOSOLICAE SEDIS, OFFICIAL COMMENTARY. ACTA OF POPE BENEDICT XV. APOSTOLIC LETTERS. I. THE APOSTOLIC DELEGATION IN ALBANIA IS ESTABLISHED.

BENEDICT PP. XV. For the perpetual memory of the event. – That these things may turn out well, prosperously, and happily for the Catholic name and for the eternal salvation of the faithful, and that they may contribute to the better management of sacred affairs, We are reminded by the office of the highest apostolate, which We exercise on earth, not through any merit of Ours, but by divine appointment. Guided by this counsel, and in

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order to provide effective and safe assistance to the dioceses of Albania and their prelates, who have been proven to have endured so many difficulties and hardships, We have decided to establish an Apostolic Delegation in that region. Therefore, having carefully considered all the circumstances of the matter with Our Most Reverend and Venerable Fathers, the Cardinals entrusted with the affairs of the Propagation of the Faith, by Our Apostolic authority, We hereby establish an Apostolic Delegation in Albania. We decree that this Delegation shall extend to all the dioceses of Albania, and We establish the seat of this Delegation in the city of Scutari. We command, We decree, that these present Letters shall always remain valid and effective, and shall have and obtain their full effect and force, and that they shall fully suffice for those to whom they pertain, now and in the future; and that they shall be duly judged and defined.

[*Latin ed. p. 186*]

186 Acta Apostolicae Sedis - Official Commentary, and it shall be and remain so, even if something to the contrary should happen concerning these matters, by anyone, knowingly or unknowingly. Notwithstanding any contrary provisions. Given in Rome, at Saint Peter's, under the Fisherman's Ring, on the eleventh day of November, 1920, in the seventh year of Our Pontificate. P. CARD. GASPARRI, Prefect of the Sacred Congregation of the Holy See.

II. THE APOSTOLIC VICARIATE OF NORTHERN ONTARIO IS ESTABLISHED. BENEDICT XV. For the perpetual memory of this event. The pastoral office entrusted to Us reminds Us to diligently strive, with the help of God, to provide suitable safeguards for the progress of all the Christian faithful, and, above all, to offer paternal counsel for their prosperous and happy governance. Indeed, it has become evident that in the Apostolic Prefecture of Northern Ontario, up to this day, the growth of the Catholic faith has been so notable, that the number of churches and stations, as well as the number of evangelical workers and Christian faithful, has increased greatly in those distant regions; and We have learned that it is most fitting to establish the Catholic religion there more and more firmly, so that an Apostolic Vicar, distinguished by the episcopal character, may govern them; therefore, after having conferred with the Most Reverend Fathers, Cardinals of the Holy Roman Church, Prefects of the Sacred Congregation of Propaganda Fide, We have decided, in the Lord, to establish anew a Vicariate. Therefore, by Our own initiative and with full knowledge and mature deliberation, and by the fullness of Our Apostolic power, by the force of the present document, We erect the Apostolic Prefecture of Northern Ontario into an Apostolic Vicariate, with the same boundaries as the Apostolic Prefecture up to this day. These things We have decreed, and We declare that the present document shall always remain firm, valid, and effective, and shall produce and obtain its full effects, and shall be

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sufficient for those to whom it pertains, now and in the future; and it shall be duly judged and defined that, if anything to the contrary concerning these matters should happen, by anyone, with any authority, knowingly or unknowingly, it shall be considered void and of no effect. Notwithstanding.

[*Latin ed. p. 187*]

187 The acts of Pope Benedict XV, through his constitutions and apostolic ordinances, take precedence over any conflicting decrees. Given in Rome, at Saint Peter's, under the Fisherman's ring, on the ninth of November, 1920, in the seventh year of Our Pontificate. XXVII P. CARD. GASPARRI, Secretary of State.

THE CHURCH OF THE BLESSED VIRGIN MARY, LOCATED IN "DE MERCEDE" UNDER THE TITLE OF "LIBERATOR FROM THE EARTHQUAKE," IN THE CITY OF QUITO, IS RAISED TO THE RANK OF A MINOR BASILICA.

BENEDICT XV.

For the perpetual memory of this event.

Our beloved son, Constantius Vallejo, General Procurator of the Order of the Blessed Virgin Mary of Mercy, and also acting on behalf of the Master General and the Provincial Superior of Quito, as well as other members of the same Order, humbly implored Us, with fervent prayers, to deign to grant the church dedicated to the Blessed Virgin Mary of Mercy, under the title of "Liberator from the Earthquake," located in the city of Quito, the dignity of a Minor Basilica.

We, having carefully considered this sacred edifice, which is also a splendid monument of art and religion, and which shines with the splendor of divine worship, as well as being enriched by the piety and frequent attendance of the faithful, and having also received the favorable opinions of the Most Eminent Cardinals, Princes of the Sacred Roman Empire, Protectors of the Order of Mercy, We readily and willingly deemed it fitting to grant their request.

Therefore, having heard the Most Reverend Cardinal Prefect of the Congregation of Sacred Rites, by Our apostolic authority, in the present document, We elevate the church of the Blessed Virgin Mary of Mercy, located in the city of Quito, under the invocation of "Liberator from the Earthquake," to the title and dignity of a Minor Basilica, with all and each of the honors and privileges that pertain to the Minor Basilicas of this holy city.

We decree that these present letters shall always remain valid and effective, and shall fully and completely produce and obtain their intended effects, and shall be of the greatest benefit to those to whom they pertain, now and in the future; and that they shall be duly judged and defined, and

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shall be declared null and void from this moment forward, if anything to the contrary should be attempted by anyone, knowingly or unknowingly, through any authority whatsoever.

Notwithstanding any contrary provisions.

Given in Rome, at Saint Peter's, under the Fisherman's ring, on the tenth of December, 1920, in the seventh year of Our Pontificate.

P. CARD. GASPARRI, Secretary of State.

[*Latin ed. p. 188*]

188 Acta Apostolicae Sedis - Official Commentary iv THE CHURCH OF THE MOST HOLY HEART OF JESUS IN THE CITY OF ADAMANTINA IS ENRICHED WITH THE TITLE AND PRIVILEGES OF A MINOR BASILICA. BENEDICT XV. For the perpetual memory of the matter. — The Venerable Brother Joachim Silverius de Sousa, Archbishop of Adamantina, expressing the sentiments of himself, the clergy, and the people subject to him, earnestly requested Us to deign to bestow upon the sacred edifice, situated in the archiepiscopal city and dedicated for many years to the Most Holy Heart of Jesus, whose beautiful image is religiously venerated above the altar, the title of a Minor Basilica. We, having learned that the aforementioned church, solemnly consecrated in the Brazilian region, excels in size and is adorned with works of art, no less than in the splendor of divine worship and sacred functions; and remembering that the temple itself has been entrusted to the care, study, and diligent ministry of the Missionaries of the Priesthood, and that there is canonically established therein a pious Association with the title of "Honorific Custody of the Most Holy Heart of Jesus," which Our Predecessor, Pope Leo XIII, through Apostolic Letters sealed with the Fisherman's ring in the year 1894, elevated to the rank of an archconfraternity; therefore, we readily and willingly granted the requested favor. Since these things are so, having heard the Purpurate, Prefect of the Congregation of Holy Rites of the Sacred Roman Church, We, with Our Apostolic authority, and by the force of the present document, perpetually and forever, decree that the Church of the Most Holy Heart of Jesus in the city of Adamantina be enriched with the title and dignity of a Minor Basilica, with all the honors and privileges that rightfully belong to the Minor Basilicas of this Holy City. We decree that these presents shall always be firm, valid, and efficacious, and shall have and obtain their full and complete effect, and shall suffice most amply for those to whom they pertain, now and in the future; and that it shall be rightly judged and defined, and from this moment shall be declared void and null, if anything to the contrary should be attempted by anyone, knowingly or unknowingly, with any authority whatsoever. Notwithstanding any contrary provisions. Given at Rome, near the blessed Peter, on the tenth day of December, in the year 1920, in the seventh year of Our Pontificate. P. CARD. GASPARRI,

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Secretary of State.

[*Latin ed. p. 189*]

The acts of Pope Benedict XV, page 189, state: "The sanctuary of the Blessed Virgin Mary, commonly known as 'Del Pilastrello,' is erected into an abbey of the Olivetan Order, and the first abbot is appointed in the person of the Reverend Father Celestino Maria Colombo."

BENEDICT XV. For the perpetual memory of this matter. – Since the monks of the Congregation of the Blessed Virgin Mary of Monte Oliveto, of the Order of Saint Benedict, who have inhabited the aforementioned sanctuary of the Blessed Virgin Mary in the place of Lendinara, in the diocese of Atri, with tireless devotion for many centuries, have offered us prayers, so that we might deem it fitting to elevate the aforementioned sanctuary, together with the adjacent monastery, to the dignity of an abbey; and since these prayers have been strengthened and adorned by the most excellent support of the Most Reverend Prince Caietano De Lai, called the Protector of the aforementioned sanctuary, and of the venerable brother Anselm Rizzi, the present bishop of Atri, we have readily and willingly judged it fitting to grant these requests. We do not ignore that, through similar Apostolic Letters dated the fifteenth day of the month of February, 1911, the sanctuary was decorated with the title and privileges of a Minor Basilica by Our Predecessor, Pope Pius X, and that there is preserved within it, a statue of the Blessed Virgin Mary, renowned for miracles, holding the Divine Child in her arms, called "a pila parva," which the ancient citizens of Lendinara have venerated with religion, having experienced all graces from God.

Therefore, after consultations with Our beloved son, Theodore, Most Reverend Cardinal Valfrè di Bonzo, Prefect of the Congregation for Religious, and after mature deliberation, by Our Apostolic authority, in the presence of all, and in a perpetual manner, we elevate the sanctuary of the Blessed Virgin Mary in the place of Lendinara, in the diocese of Atri, together with the adjacent monastery, of the Congregation of the Blessed Virgin Mary of Monte Oliveto, of the Order of Saint Benedict, to the dignity of an abbey.

However, for this occasion, the nomination of the first abbot is reserved to this Holy See; and after examining the particular qualities of mind and character, which are evident in Our beloved son, Celestino Maria Colombo, the rector of the aforementioned sanctuary and prior of the monastery, who has already diligently and with the highest praise fulfilled many and indeed important ecclesiastical duties, we, with equal Apostolic authority, by the tenor of these presents, choose, appoint, and declare him to be the first abbot of this new abbey of the Blessed Virgin Mary in the place of Lendinara, in the diocese of Atri, to preside over the monastic family, with

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all rights, honors, and privileges.

[*Latin ed. p. 190*]

190 Acta Apostolicae Sedis ~ Official Commentary concerning the privileges enjoyed by abbots of the Congregation, in all matters pertaining to the form of the Constitutions promulgated by the Congregation of Monte Oliveto, of the Order of Saint Benedict. We decree that these present Letters shall always exist and remain valid and efficacious, and shall fully and completely produce and obtain their intended effects, and shall most amply benefit those to whom they pertain, or may pertain; and that it shall be duly judged and determined, and that from this and moment forward, whatever is contrary to these shall be declared null and void, if anything should happen, by anyone, knowingly or unknowingly, to be attempted concerning these matters. Notwithstanding any and all apostolic ordinances and constitutions, and also the constitutions of the Order or Congregation of Monte Oliveto, and all other matters, even those deserving of special and individual mention and derogation, to the contrary. Given in Rome, at Saint Peter's, under the Fisherman's Ring, on the fifteenth day of December, 1920, in the seventh year of Our Pontificate. P. CARD. GASPARRI, Secretary of State.

A CHURCH DEDICATED TO THE NATIVITY OF THE BLESSED VIRGIN MARY IS ERECTED IN THE CITY OF SENGLEA, ON THE ISLAND OF MALTA, IN A SMALLER BASILICA.

BENEDICT XV.

For the perpetual memory of this event. — In order to perpetuate the memory of the glorious victory against the Turkish army, obtained in the year 1565, and in thanksgiving for the city saved from extreme danger, a sacred edifice has been erected in the city commonly called Senglea, on the island of Malta, in honor of the Nativity of the Blessed Virgin Mary, called "a Victoria" [of Victory], which our predecessor, Pope Pius PP. VI, bestowed with the distinguished title and dignity of a Collegiate Church. Now, however, the Chapter, together with the clergy of the same church, having seized the auspicious occasion of the coronation of the sacred image of the Infant Mary, that is, the "Maria Bambina," which is devoutly venerated in the very temple, and having also expressed fervent wishes that a celebration of this kind be devoutly observed with pomp and solemnity, We have been earnestly requested to deign to elevate the sacred temple itself, which excels in antiquity, beauty, and size, and is renowned for divine worship and sacred functions, to the title of a Minor Basilica; We, recalling with pleasure the illustrious memories of the same church, have readily

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and willingly approved of these requests. Therefore, having heard—

[*Latin ed. p. 191*]

Acta of Pope Benedict XV, 1917: To our beloved brother, His Most Reverend Eminence, Cardinal Vico, Prefect of the Congregation of Sacred Rites, having carefully considered the matters presented and the existing conditions necessary to obtain the aforementioned privilege, by our apostolic authority, with the force of the present document and in perpetuity, we declare the collegiate and curial church dedicated to God in honor of the Nativity of the Blessed Virgin Mary, in the diocese of Melitensis, to be erected as a Minor Basilica, and we grant it all and each of the privileges that rightfully belong to the Minor Basilicas of this Holy City. We decree that these present letters shall always remain firm, valid, and efficacious, and shall have and obtain their full and complete effect, and shall forever support and be supported by those to whom they pertain, now and in the future, and that whatever is contrary to these shall be considered void and null from this moment forward, if anything contrary to these should be attempted by anyone, knowingly or unknowingly, with any authority whatsoever. Notwithstanding any contrary provisions. Given at Rome, near the Holy Peter, on the third day of January, in the year 1921, in the seventh year of our pontificate. P. CARD. GASPARRI, Secretary of State.

THE CHURCH OF SAINT IGNATIUS OF LOYOLA IN OPPIDO AZPEITIA, IN SPAIN, IS ENHANCED WITH THE TITLE AND PRIVILEGES OF A MINOR BASILICA.

BENEDICT XV, for the perpetual memory of the matter.

It is most evident that the magnificent temple dedicated to the saint can rightly be counted among the most important sanctuaries of Spain. It is located near the town of Azpeitia, in the very place where Saint Ignatius, the founder of the Society of Jesus, was born, and where, after returning from war, wounded and struck by divine grace, he renounced military life in order to dedicate himself entirely to the service of Christ. This temple, distinguished by its size, its wonderful works of art, and its precious marble, is rich in furnishings, shines with the splendor of sacred functions, and is frequented by a large number of priests devoted to divine worship, as well as by numerous faithful who come from afar. Adjacent to the temple is a very large college of Regular Clerics of the Society of Jesus, founded by the kings of Spain, where the novices of the regular province of Castellanae are trained for the service of the Lord.

Having these things in mind, and with our beloved son, Ignatius...

[*Latin ed. p. 192*]

Acts of the Apostolic See – The official record. Maria Ibero, of the same college of Loyola, expressing fervent wishes for herself, her family, the Province, and the entire Society of Jesus, and having offered fervent

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prayers, requested that the church dedicated to Saint Ignatius be granted the title of Basilica. We, having heard this request, readily and with good will, accede to it. Therefore, having heard the venerable brother, Our Most Reverend Cardinal Vico, Bishop of Oporto and San Rufina, Prefect of the Congregation of Sacred Rites, by Our apostolic authority, and for all time, we elevate the church dedicated to God, in honor of Saint Ignatius, the founder of the Society of Jesus, located near the town of Azpeitia in Spain, to the title and dignity of a Minor Basilica, with all the privileges and honors that rightfully belong to the Minor Basilicas of this Holy City. We decree that these present letters shall always remain valid and effective, and shall fully and completely produce their intended effects, and shall forever be a source of support to those to whom they pertain, or who may pertain to them, now and forever; and that it shall be rightly judged and defined, and that anything contrary to these, attempted by anyone, with any authority, knowingly or unknowingly, shall be considered null and void from this moment. Notwithstanding any contrary provisions. Given in Rome, at Saint Peter's, under the Fisherman's Ring, on the twenty-fifth day of January, in the year 1921, in the seventh year of Our pontificate. P. CARD. GASPARRI, Secretary of State. VIII. THE PARISH CHURCH OF THE MOST SACRED HEART OF JESUS NEAR THE PRETORIAN CAMP IN THE CITY IS DECORATED WITH THE TITLE AND PRIVILEGES OF A MINOR BASILICA. BENEDICT XV. For the perpetual memory of this event. – It is well known to all that the Pious Society of Saint Francis de Sales, founded by the venerable Servant of God, John Bosco, in Augsburg, and today spread throughout various regions of the world, has earned great merit, not only through its active and diligent work in the religious and moral upbringing of children and young people, but also in the progress of the Catholic cause, both among the Christian people and among the non-believers in distant and difficult missions. To the members of the same Society, there is also in this Holy City of Ours, a parish church dedicated to the Most Sacred Heart of Jesus.

[*Latin ed. p. 193*]

The acts of Pope Benedict XV, in which, although not founded many years ago, but especially through the order and auspices of Our Predecessor, Pope Leo XIII, the faithful of the city, through the efforts of its members, dedicate themselves to the worship of God and the praise of virtues, so that it may even compete with older parishes in the contest of honor and merit. The founder of the Salesian Society, the venerable John Bosco, in a new region of the city, a place of the purest air and most generous people, located near the Praetorian Fortress, began the construction of this temple, and, as if to erect it as a vow of the Italian people and a testimony of piety towards the Most Sacred Heart of Jesus, he diligently collected funds, especially from the faithful of Italy; but pious men from other na-

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tions were not lacking, who, inflamed by love for the Most Sacred Heart of Jesus, contributed a large sum of money to the construction and completion of this temple. In the year 1887, the sacred building itself, according to the beautiful design drawn up by the architect Virginio Vespignani, was finally completed and solemnly consecrated and dedicated. Afterwards, the Salesian members, with great care, not only adorned it with various altars, skillfully depicted images, and statues, and with all the furnishings necessary for sacred worship, but also enriched the adjoining buildings for the proper instruction of young people, as our times demand, and rightly and deservedly, Our Predecessors were pleased, and We approve with no less pleasure. Therefore, when a beloved son, Paul Albera, the current major superior of the Pious Society of Saint Francis of Sales, humbly requested, in his own name and in the name of the religious men under his leadership, that, for the sake of increasing the splendor of this temple dedicated to the Most Sacred Heart of Jesus, and to foster the faith and piety of the faithful of this parish, We might grant it the dignity, title, and privileges of a Minor Basilica out of Our benevolence; We, in order to further encourage the faith of this parish and of the entire city of Our own, and to more and more promote the fervent worship and devotion to the Most Sacred Heart of Jesus, and also to publicly demonstrate the good will with which We regard the Salesian members for their merits, We freely and gladly deem it right to grant these pious requests. Wherefore, after consultations with the Most Reverend and Venerable Cardinals of the Congregation of Sacred Rites, by Our own initiative and with full knowledge and mature deliberation, and by the fullness of Our apostolic power, by the tenor of the present document, We hereby declare and establish, perpetually, that the temple dedicated to the Most Sacred Heart of Jesus, located in this holy city of Ours and near the Praetorian Fortress, is endowed with the dignity and title of a Minor Basilica, with all the honors, prerogatives, privileges, and indulgences that are rightfully due to other Minor Basilicas of this illustrious city. We decree these things in these firm letters.

[*Latin ed. p. 194*]

194 Acta Apostolicae Sedis - The official commentary states that [these decrees] are always valid and efficacious, and that they continuously and fully produce their intended effects, and that they will fully benefit those to whom they pertain, now and in the future; and therefore, it must be rightly judged and defined that, if anything contrary to these [decrees] should be attempted by anyone, with any authority, knowingly or unknowingly, it is null and void from now on. Notwithstanding any contrary provisions. Given in Rome, at Saint Peter's, under the Fisherman's Ring, on the eleventh day of February, 1921, in the seventh year of Our Pontificate. -.. . P. CARD. GASPARRI, Secretary of State. R. P. ALBANUS SCHACHLEITER, of the Order of Saint Benedict, Abbot of Spanheim, reports. BENEDICT XV.

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Beloved son, greetings and the apostolic blessing. It pleases Us to turn Our thoughts to you, who, as We recently learned, after having relinquished the governance of the Abbey of Emmaus in Pragensem, with Our consent, due to difficult circumstances, withdrew to the monastery of Saint Boniface in Monacense. However, We approved your resignation from the abbatial office, and We do not wish you to believe that this has diminished your standing or Our benevolence in any way. For We will not easily forget all that you accomplished for more than ten years, while governing the Abbey of Pragensem, animated by a love of religion, and diligently performing your duties. And indeed, when those enemies of the Church were striving with great contention to tear away and alienate the children of this holy Mother from the faith in those regions, you vigorously defended the Catholic faith among the people, especially in Bohemia. In that province, you could not have found a more important or useful field of activity, for it is evident that the Society named after Saint Boniface has greatly devoted its efforts there, and you yourself, as if with the sparks of zeal and virtue, strengthened it so that, through frequently published writings, you have excellently promoted the preservation of the integrity of the faith and the practice of Christian life. While you were engaged in these endeavors, you also employed no less diligence in ensuring that the members under your direction maintained the splendor of the sacred rites and the most chaste dignity of ecclesiastical ceremonies, as is fitting for religious men who perform the work of God according to their institute. Consequently, it happily resulted that the Abbey of Emmaus in Pragensem became a shining example of liturgical life.

[*Latin ed. p. 195*]

Acta Benedicti PP. XV, 195, are to be had, from which illustrious men remained in the Catholic regions of that place, striving to promote the benefits of the faith. Therefore, beloved son, it is not surprising that this has caused envy and offense to the enemies of the Church; and, indeed, that this has happened for the sake of the Church itself, should wonderfully console you. However, so that you may not lack our comfort and a sign of paternal charity, by these Letters, with our authority, we appoint and declare you Abbot of Spanheim; and we bestow upon you this title of honor, so that, in some way, we may revive the memory of the extinct Benedictine Abbey, which, founded in the year 1224 and dedicated to God the Most High in honor of the most blessed Virgin and Saint Martin, flourished with religious insignia, and was ennobled by the virtues and writings of its Abbot, John Trithemius. Notwithstanding any objections. Given in Rome, at Saint Peter's, under the Fisherman's Ring, on the twenty-first day of March, in the year 1921, the seventh year of our pontificate. P. CARD. GASPARRI, Secretary of State. LETTER TO OUR BELOVED SON, THE PROCTOR, CONCERNING THE FOUNDATION OF A CATHOLIC UNI-

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VERSITY FOR STUDIES IN MILAN. Beloved son, greetings and the apostolic blessing. — Since the Roman Pontiffs have always striven to promote the knowledge of the true name, and no one is ignorant of the fact that, with their authority, the most celebrated Academies of Europe were established, both in the Middle Ages and in subsequent centuries, therefore, we commend with great pleasure the plan recently undertaken by you, namely, to found a Catholic University for studies in Italy, and to locate it in Milan, in a flourishing city, so that, where industry burns with vigor and labor sweats, the very forces of the mind and intellect may be more readily exercised. Thus, you have diligently pursued this undertaking, which, although already successfully accomplished in some places in Europe and America, has long been desired by Catholic men of Italy, especially by that most astute and pious man, His Eminence, Cardinal Andrea Ferrari, Pastor of the Ambrosian Church, who has fostered the nascent University with a paternal embrace and has taken care to promote it. It is scarcely necessary to say how much it matters for the Christian and civil order that noble institutions of higher learning should now revive. For, in this age full of errors, religion has been forced to flee from the schools, and impious men, with deceptive wisdom,

[*Latin ed. p. 196*]

196 Acta Apostolicae Sedis - Commentarium Officiale. With diligence, they strive to infect the minds of young people with the poison of impiety; therefore, nothing could be more fitting than to instruct young people in such a way that, guided by virtue and illuminated by religion, and thoroughly instructed in all branches of knowledge, they may at times appear publicly, vigorously, wisely, and truthfully defending the faith. Therefore, take courage, beloved sons; for you are engaged in a work of such importance that it will surely bring great benefit to the Catholic name. And we shall strive that, under the auspices of the august Heart of Jesus, to which you have dedicated this institution with pious intention, and in which are all the treasures of wisdom and knowledge, you may successfully and swiftly bring this endeavor to its desired outcome. Indeed, in order to more clearly demonstrate our approval to you, We willingly allocate a certain sum of money to the Institute, assigning it for the purpose of providing the necessary expenses for two young men of the best promise who will devote themselves to studies here; and, having prayed to God for suitable assistance for you, we earnestly desire that this fruitful undertaking be commended to the generosity of all Catholics, who should understand that they cannot effectively oppose any school, be it secular or otherwise (as they call it), unless they establish Catholic schools, especially universities, in which their own professors may be trained; and that they should truly promote such schools, both because it is their duty, and because they are the most effective means of cultivating wisdom

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and enriching society. And may the apostolic blessing, a testament to the harmony of heavenly matters and our paternal benevolence, which We gladly and generously bestow upon you, beloved son, and upon all your companions, and upon all those who have assisted in this endeavor in any way, be with you. Given at Rome, near the blessed Apostle Peter, on the ninth day of February, in the year 1921, in the seventh year of Our Pontificate. BENEDICT XV.

[*Latin ed. p. 197*]

The Most Holy Congregation, Sacred Office.

ACTS OF THE MOST HOLY CONGREGATIONS.

SUPREME SACRED CONGREGATION OF THE SACRED OFFICE.

DECREE:

IMAGES ARE CONDEMNED OF A CERTAIN NEW SCHOOL OF PAINTING.

The Most Eminent and Reverend Lords, Inquisitors General in matters of faith and morals, in an ordinary session held on Thursday, the 23rd of February, 1921, judged it necessary to publicly declare:

The sacred images of a certain new school of painting, of which a specimen is exhibited in the work entitled: *The Passion of Our Lord Jesus Christ* by Cyril Verschaeve (adorned with compositions by Albert Servaes. Brussels and Paris. National Library of Art and History G. van Oest and C. Publishers, 1920), are, by the very law of canon 1399, number 12, to be prohibited, and therefore must be immediately removed from churches, chapels, etc., in which they may happen to be displayed.

And on the following Friday, the 24th of the same month and year, the Most Holy Lord Pope Benedict XV, in his customary audience granted to the Reverend Fathers Assessors of the Sacred Office, approved the resolution presented to him by the Most Eminent Fathers, ordering those to whom it pertains to observe it and to ensure that it is observed.

Given at Rome, from the offices of the Sacred Office, on the 30th of March, 1921.

A. Castellano, Notary of the Supreme Sacred Congregation.

SACRED CONSISTORIAL CONGREGATION.

PROVISIONS FOR CHURCHES.

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By the decrees of the Sacred Consistorial Congregation, the Most Holy Pope Benedict XV, has provided for the churches as follows:

March 15, 1921.

To the titular archiepiscopal church of Pharsala, he appointed the Reverend Father Sebastian Lerne a Silveira Cintra.

[*Latin ed. p. 198*]

198 Acta Apostolicae Sedis - Official Commentary concerning the Bishop of Olinda-Recife, and concerning the appointment of a coadjutor to succeed him, namely, the Most Reverend Cardinal Joachim Arcoverde de Albuquerque Cavalcanti, Archbishop of São Sebastião do Rio de Janeiro. — To the Cathedral Church of Pelotas, the Reverend Father Joachim Ferreira de Mello, Vicar General of the Reverend Archbishop of Fortaleza. II NOMINATION: His Holiness Pope Benedict XV, by decree of the Sacred Congregation of the Consistory, nominated: January 10, 1921. — The Reverend Father Angel Paino, formerly Bishop of Lipari, as coadjutor to the Reverend Father Lecterii D'Arrigo, Archbishop of Messina. SACRED CONGREGATION FOR THE CATHEDRAL CHURCHES OF MAJORCA. DISTRIBUTION. January 15, 1921. The Chapter of the Cathedral Church of Majorca reverently presents the following to this Sacred Congregation: "According to article 182 of the Chapter Statutes, 'distributions' which are not received by those absent, are distributed among those present, both physically and those whom the law considers to be present, with the exception of pontifical indulgences which may be granted in this matter." FACTS OF THE CASE. "All Canons and Beneficiaries, during periods of vacation, by virtue of the Decree of the Sacred Congregation under date of October 19, 1917, and Chaplains serving the same Cathedral Church for 30 days annually, by virtue of the aforementioned Decree of the esteemed Congregation of January 12, 1918, receive said distributions, and also receive them, certain Canons and Beneficiaries, by virtue of particular indulgences, or on days, or on days and hours in which they entirely gratuitously teach in the diocesan seminary, as well as the Canon from the secretarial office of the Brotherhood of Saints Peter and Bernard, annexed to the same Cathedral, on the days and hours in which he performs his duties, in all cases losing the distributions among those present."

[*Latin ed. p. 199*]

#. The Congregation of the Council asks: "However, the Chapter doubts whether those absent from the choir, by virtue of the aforementioned 'indulgences,' ought to be admitted to the participation in the distributions in this case, and therefore, with the approval of the Ordinary, respectfully requests that this doubt be resolved by the authority of the Sacred Congregation." - Generally speaking, if custom, or the Chapter's statutes, or pontifical indulgences do not provide otherwise, those who receive distri-

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butions also receive the quotas lost by others, or the 'fallentiarum.' This is demonstrated by the very way the Code of Canon Law is expressed, which, when speaking of Chapters, who certainly profit from the 'fallentiarum' of others, such as jubilarians (can. 222, § 2), the infirm (can. 420, 5°), etc., expressly states that they only profit from the distributions. Indeed, in the Cathedral Chapter of Majorca, Article 182 of the Statutes is in force, which does not prohibit, but rather expressly favors the reception of the 'fallentiarum' when the law permits those absent to receive distributions, i.e., in the cases mentioned in can. 420; in such cases, they are considered present. The article does, however, mention pontifical indulgences, which may provide otherwise, but this exception is not harmful in this case. For, on the one hand, even with an indulgence, they are, in a certain sense, considered present in the choir; on the other hand, in pontifical indulgences, in cases where they are granted, it is only prohibited to receive the distributions that are divided among those physically present: the lost quotas are only among those present; but in the Chapter of which we are speaking, the 'fallentiae' are not included among the portions that are physically divided among those present, as happens by particular custom or by the statutes in some Chapters, even of the City. OPINION OF THE CONSULTOR. It seems to me that in this matter, particular customs or the Chapter's statutes are to be considered of great importance (cf. D'Annibale, Summ., III, 182, which cites decisions of this Sacred Congregation and the Acts of the Holy See). The Council of Trent decreed (session XXI, c. 3): "In Cathedral and Collegiate Churches, in which there are either no distributions, or they are so small that they are likely to be neglected, one-third of the fruits and all the revenues and income, both of Dignities and of Canonries, ought to be separated and converted into daily distributions, which are to be divided among the Dignitaries and others who are engaged in divine matters..." Furthermore, the quotas lost by those not engaged in divine offices - unless a different provision is in force in the particular case, which is not the question here - clearly ought to be added to those engaged in divine offices. This is derived from the very words of the Council of Trent. Since the daily and aforementioned distributions are to be divided among the clerics present, and since those present do not find others to compete with them in receiving the distributions, they alone use the distributions, as has been decided in similar cases.

[*Latin ed. p. 200*]

^00 The Acts of the Apostolic See – the official commentary – state: Book 1, § end. Regarding the use of accruing fruits. But also, in cases, through a legal fiction, those present are considered to hold divine offices – for a legal fiction operates in a fictitious case in the same way that truth operates in a real case, as stated in Book 1, § 1, on adoption, and Book 1, § Cum hic status – if both [parties] D. de donation. – and for this reason, they

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receive the portion due to them in the distribution: since, however, these individuals were not excluded from receiving the fallentiae [payments] in the decrees, they must participate in the right of accretion regarding the portion lost by others: according to what Arndts-Serafini states in *Trattato delle Pandette*, Vol. III, § 518: "The acquisition by the one who has become an heir of a portion 'extends by right even to those portions which become vacant 'because those constituted and those called by law have ceased to exist.' 'These portions increase that which has already been acquired, or that which is to be acquired, if such a loss has occurred before.'" This can be confirmed by the authority of Benedict XIV and others, including D'Annibale. He, in Notification X IX (Vol. V, ed. Scarselli, Venice, 1740), among other things, states: "...in all those cases in which the Canons, according to the Holy Council of Trent and the aforementioned resolutions, are obligated to assist the Bishop, they receive the distributions, if they are currently employed in that service, but do not assist in the choir"; and then he adds: "However, it must be noted that what has been said about the distributions applies to them and to that portion which accrues to those present because of the absence of others, but not to the emoluments of anniversaries, which, according to the will of the testators, are due only to those present." And D'Annibale (Vol. III, 181) writes: "Those who are present by legal fiction, truly participate also in the fallentiae of the absent, which they call, just as those who are present in reality." Conversely, the opinion of some Doctors, of great note, such as Castropalao, Bonacina, and others, can be put forward, who reject this doctrine, because there is no provision in the body of the law that grants the right to receive fallentiae to those who are not physically present in divine offices, and because this doctrine is detrimental to the divine worship. But, even admitting that the capitulars, the fewer in number who participate in the fallentiae, are called with a more generous reward to assist in the choir, it does not follow that there does not exist a provision, at least implicit, of the law, contrary to their opinion. And indeed, these Doctors teach that the fallentiae should only be given to those who are physically present; the opinion of the seats, as I will refrain from mentioning others, is contradicted by the practice of the Holy See itself, which has repeatedly declared that the fallentiae belong to them, as can be seen in D'Annibale, III, 183 (51). He, speaking also of the capitulars, who,

[*Latin ed. p. 201*]

The Holy Congregation of the Council, in decree 201, concerning those who are infirm or who serve as parish priests, etc., based on declarations of the Holy Congregation, asserts that it is scarcely a matter of defined law what is owed to them in cases of absence; but the declarations of the Holy Congregation, which establish such a law, clearly presuppose its existence. Finally, in my judgment, the matter is clarified by the wording of canon 395,

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§ 3, where it is written: "Distributions [understood, from the following context, to mean benefits: those that have been lost] are given to the diligent." But the indulted should be included among the diligent, since they are not negligent; and those who are infirm, and others, are not negligent, and yet, according to the responses of the Holy Congregation itself, they should be admitted to participate in these distributions. From all of this, if I am not mistaken, it is clear that the indulted are owed distributions from the daily offerings in cases of absence.

In this case, the entire reason for doubting seems to arise from a perverse understanding of the words "among the present only": as if this were to be understood of choral presence even in ordinary functions. But it is most evident, also from the style of the Holy Congregation, that with this expression is meant only those functions which are not performed by order of the choir, but are celebrated by some extraordinary reason, so that the canons are not strictly obliged to attend them, but are only invited, with a certain extraordinary distribution to be shared only among those present. Cf. the notes on folio of the cause of Parentina and Polen, January 20, 1906 (Thesaurus, CLXV, page 13): "It is known that 'choral distributions are divided in two ways: namely, in ordinary distributions, which are commonly called daily distributions, and are the fruit of the labor which is given to those canons who are present in the choir; and also in extraordinary distributions, or those 'among the present only,' which are sometimes made to canons for their attendance at certain extraordinary offices, to which, by the force of their benefice, they are not strictly bound: these are called fixed, if they recur annually from anniversaries and other constantly recurring offices; and others are called eventual or uncertain, if, for example, they arise from a funeral, an association, or funeral rites." With this meaning of the clause "among the present only," which meaning is not obscurely received by the Code, canon 422, § 2, with the words "unless the express will of the founders or donors is present," any reason for including absences in the aforementioned clause seems to vanish.

NOTICE FROM THE OFFICE. Therefore, etc.

RESOLUTION: On January 15, 1921, the Eminent and Reverend Fathers of the Holy Congregation of the Council, in plenary assemblies held in the Apostolic Palace at the Vatican, concerning the proposed question: "Whether those who are absent from the choir by reason of the Apostolic Indult..."

[*Latin ed. p. 202*]

202 Acta Apostolicae Sedis - Official Commentary: "Concerning distributions made only among the present members, the question was raised whether they 'have the right to be included'; it was decided to respond: 'Affirmatively, provided that it is not a matter of distributions originating only among the present members.' Regarding the aforementioned mat-

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ters, the Most Holy Lord, Our Pope Benedict, of Divine Providence, XV, through the undersigned Secretary of the Holy Congregation, in an audience on the following day, deigned to approve and confirm the resolution of the Fathers. I. MORÍ, * Secretary. SACRED CONGREGATION FOR RELIGIOUS ORDERS Decrees of the Sacred Congregation for Religious Orders, Most Holy Lord Our Pope Benedict, XV: March 6, 1921. — Approved the Rule of the Secular Third Order of the Most Holy Virgin of Mount Carmel; — Approved the new Constitutions of the Congregation of the Sisters of Mercy, named after St. Charles Borromeo, whose principal house is located in Prague. SACRED CONGREGATION FOR THE PROPAGATION OF THE FAITH 1 DECREE: The Central Council of the Pontifical Missionary Union for all the Dioceses of ITALY is established. In order that zeal may be increasingly aroused in promoting, for the relief and growth of Catholic Missions, the Pontifical Missionary Union in each diocese of ITALY, this Holy Congregation, by the Christian Name of Propagating the Faith, which, according to the Encyclical Letter *Maximum illud*, will bring about greater and better fruits in the future...

[*Latin ed. p. 203*]

203 The Holy Congregation of the Propagation of the Faith must diligently attend to this matter; therefore, it has been decided here in Rome to establish a Central Council for all the dioceses of Italy, distinct from the Roman Committee, thereby amending the aforementioned Decree issued on May 15, 1897, by His Holiness Pope Leo XIII, under the authority of the Most Reverend Cardinal M. Parocchi; this Central Council will foster, regulate, and direct the institution, administration, and growth of this same pious work in all and each of the dioceses of Italy, the Roman diocese not excepted. This Council, along with its President, Secretary, and Treasurer, and with several additional advisors, will be immediately subject to this same Holy Congregation concerning the duties for which it is established. Therefore, while maintaining the authority of the Ordinaries in each of the dioceses of Italy regarding the establishment and direction of the aforementioned pious work, now called the Propagation of the Faith, each diocesan President of this same work will act directly with the President of the aforementioned Central Council of Rome concerning all matters that appear to pertain to this pious work. The Most Holy Pope Benedict XV, in an audience on November 18 of the past year, graciously approved and ratified the establishment of this Central Council; and he ordered the preparation of the present Decree concerning this matter. Given in Rome, from the offices of the Holy Congregation of the Propagation of the Faith, on March 1, 1921. G. M. CARD. VAN ROSSUM, Prefect. L. S. C. Laurenti, Secretary. II NOMINATION: By a brief apostolic letter, dated February 23, 1921. — The Apostolic Vicar of Northern Honan, Reverend Father Martin Chiolino,

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from the Seminary of Milan for foreign missions.

[*Latin ed. p. 204*]

204 Acta Apostolicae Sedis - Official Commentary, DIARY OF THE ROMAN CURIA, SACRED CONGREGATION FOR THE PROPAGATION OF THE FAITH. NAMES. By a letter from the Sacred Congregation for the Propagation of the Faith, dated March 12, 1921, the Reverend Canon D. Angelo Roncalli, of the diocese of Bergamo, was appointed President of the new Central Council for the dioceses of Italy of the Pontifical Mission Aid Society.

SACRED CONGREGATION OF RITES. Tuesday, March 15, 1921, in the Vatican Apostolic Palace, the Ordinary Congregation of Sacred Rites was held, in which, for the judgment of the Most Eminent and Reverend Lords Cardinals, members of the same, the following matters were presented:

1. The introduction of the cause for beatification and canonization of the Servant of God, Mary Aikenhead, Foundress of the Institute of the Sisters of Charity in Ireland.

2. The confirmation of the ancient and venerable worship rendered to the Servant of God, Margaret of Lorraine, professed Religious of the Franciscan Order, called Blessed.

3. The resumption of the cause for canonization of the Blessed Peter Canisius, professed Priest of the Society of Jesus.

4. Concerning the examination of the new writings of the Servant of God, John Merlini, priest of the Congregation of the Missionaries of the Precious Blood of Our Lord Jesus Christ.

5. Concerning the writings of the Servant of God, Contardo Ferrini, a layman, professor in the University of Pavia and elsewhere.

6. The approval and granting of the Office and Mass, and of the encomium to be inserted in the Martyrology, for the feast of the Blessed Charles Lwanga, Matthias Murumba, and Companions, Martyrs of Uganda.

SECRETARY OF STATE. APPOINTMENTS. By letters from the Secretary of State, the Holy Father deigned to appoint:

March 15, 1921. The Most Eminent Cardinal Oreste Giorgi, Protector of the Archconfraternity of Saint Joseph of the carpenters.

March 21, 1921. The Most Eminent Cardinal Augusto Sili, Protector of the Archconfraternity of the Most Holy Angels.

March 31, 1921. Monsignor Frederick Tedeschini, Substitute of the Secretary of State, Apostolic Nuncio to Spain.

[*Latin ed. p. 205*]

From the Diary of the Roman Curia. 205. By Apostolic Brief, the Holy Father deigned to appoint: Apostolic Protonotaries, as if participating:

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March 15, 1921. Monsignor Gaetano Audino, of the diocese of Gerace. Monsignor Michele Buchberger, of the archdiocese of Munich and Freising. Domestic Prelates of His Holiness: January 8, 1921. Monsignor Eugenio Geoffroy, of the diocese of Haileybury. February 13. Monsignor Giorgio Tommaso Doulin, of the Archdiocese of New York. Monsignor Guglielmo Livingston, of the same archdiocese. Monsignor Giuseppe Francesco Smith, of the same archdiocese. Monsignor Giuseppe Enrico Me Mahon, of the same archdiocese. Monsignor Daniele Burke, of the same archdiocese. Monsignor Giuseppe Francesco Sheahan, of the same archdiocese. Monsignor Luigi Grassia, of the diocese of Aversa. March 12. Monsignor Giacomo Kallarakal, of the Apostolic Vicariate of Changanachery. March 21. Monsignor Pietro Sinelli, of the diocese of Cremona. HONORS. By Apostolic Briefs, the Holy Father deigned to bestow the following honors: The Grand Cross of the Order of Pius: March 11, 1921. To the Most Noble Prince Don Camillo Francesco Massimo, of Rome. The Grand Cross of the Order of Saint Gregory the Great, civil class: March 15, 1921. To the Most Noble Signor Carlo Iaroszinski, of the diocese of Zytomierz. To the Most Noble Signor Emanuele De Peralta, Extraordinary Envoy and Minister Plenipotentiary of Costa Rica to the Holy See. The Commanderate of the Order of Saint Gregory the Great, civil class: March 8, 1921. To the Most Noble Signor Salvatore Cattali, of the archdiocese of Messines. To the Most Noble Signor Pietro Ciccolo Centurrino, of the same archdiocese.

[*Latin ed. p. 206*]

Acta Apostolicae Sedis - Commentarium Officiale 206, March 16, 21 » 1921. To the Most Noble Baron Frederick de Geier, of the Archdiocese of Munich and Freising. To the Most Reverend Mr. Domenico Galli, of the Archdiocese of L'Aquila. The Knighthood of the Order of Saint Gregory the Great, civil class: February 13, 1921. To the Most Reverend Mr. George I. Gillispie, of the same Archdiocese. To the Most Reverend Mr. George Mac Donald, of the same Archdiocese. To the Most Reverend Mr. Thomas F. Farell, of the same Archdiocese. To the Most Reverend Mr. John T. Smith, of the same Archdiocese. March 12. To the Most Noble Baron William Van Voorst tot Voorst, of the Diocese of Harlem. March 16. To the Most Reverend Mr. Joseph Rendina, of the Diocese of Porto and St. Rufina. March 18. To the Most Reverend Mr. Eugene Schmits, of the Archdiocese of Malines. March 22. To the Most Reverend Mr. Angelo Santagostino, of the Archdiocese of Milan. The Knighthood of the Order of Saint Gregory the Great, military class. March 13, 1921. To the Most Reverend Lieutenant Michael Moscicki, aide-de-camp to the President of the Republic of Poland. The Commander's Cross with Plaque of the Order of Saint Sylvester Pope: March 1, 1921. To the Most Reverend Professor Constantine Chylinski, of the Archdiocese of Mohilew. The Commander's Cross of the Order of Saint Sylvester Pope: March 12, 16, 1921. To the Most Reverend Professor Mario Roccatagliata,

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of the Archdiocese of Naples. To the Most Reverend Mr. Henry Held, of the Archdiocese of Munich and Freising. The Knighthood of the Order of Saint Sylvester Pope: March 5, 9, 15, 16, 1920. To the Most Reverend Mr. John Baptist M. Leone Carlo Michel de Trétaigne, of the Diocese of Soissons. To the Most Reverend Mr. Arthur Meschini, of the Archdiocese of Westminster. To the Most Reverend Mr. Edmondo Wallman, of the same Archdiocese. To the Most Reverend Mr. Joseph Stocker, of Rome. To the Most Reverend Doctor Robert Liebel, of the Archdiocese of Munich and Freising.

[*Latin ed. p. 207*]

From the Roman Curia Diary, 207.

MAJORDOMO OF HIS HOLINESS.

By the tickets of His Eminence, the Reverend Monsignor, the Holy Father deigned to appoint:

Extraordinary Secret Chamberlains to His Holiness:

December 23, 1918.

Monsignor Eugenio Platzner, of the Castrense Vicariate of Vienna.

May 19, 1919.

Monsignor Francesco Reyl, of the diocese of Königgrätz.

Monsignor Antonio Hruby, of the same diocese.

Monsignor Gustavo Domabyl, of the same diocese.

Monsignor Giovanni Veverka, of the same diocese.

Monsignor Antonio Schreiber, of the same diocese.

Monsignor Giuseppe Kaplan, of the same diocese.

Monsignor Giovanni Kobr, of the same diocese.

Monsignor Antonio Nyvet, of the same diocese.

Monsignor Francesco Tomicëk, of the same diocese.

Monsignor Giovanni Letosnik, of the same diocese.

Monsignor Antonio Kaska, of the same diocese.

Monsignor Adolfo Brix, of the same diocese.

March 3, 1921.

Monsignor Felice Camponovo, of the Apostolic Delegation to Bolivia.

March 7.

Monsignor Michele Pianese, of the diocese of Aversa.

Monsignor Domenico de Rosa, of the same diocese.

March 15.

Monsignor Luigi Pepe, of the Archiepiscopal See of Castellammare di Stabia.

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March 21.

Monsignor Ercole De Bernardi, of the Archdiocese of Biella.

Extraordinary Secret Chamberlains with Sword and Cape to His Holiness:

February 20, 1921.

Mr. Stanislao Godlewski, of the diocese of Luceoria and Zytomierz.

March 3.

Mr. Ramón de Páramo y Jemenez, of the diocese of Orihuela.

March 15.

Mr. Giovanni Coyle, of the Archdiocese of Philadelphia.

Mr. Giuseppe Gallagher, of the same Archdiocese.

Mr. Guglielmo Long, of the same Archdiocese.

March 17.

Mr. Murtha Quina, of the Archdiocese of Philadelphia.

March 21.

Mr. Count Emanuele De Rougé, of the Archdiocese of Paris.

March 22.

Mr. Baron Federico de Vittinghoff, of the Archdiocese of Colonia.

Mr. Count Prospero Balbo di Vinadio, of the Archdiocese of Torino.

[*Latin ed. p. 208*]

Acts of the Apostolic See - Official Commentary §08 Honorary Chamberlains in peacock blue attire of His Holiness: December 18, 1920. Monsignor Tihamér Tóth, of the archdiocese of Agria. Monsignor Garlo Subik, of the same archdiocese. February 28, 1921. Monsignor Adalberto Wich, of the diocese of Cassovia. Monsignor Michele Palyò, of the same diocese. Monsignor Alberto Valverde Alonso, of the archdiocese of Valladolid. March 2. Monsignor Antonio Carestia, of the diocese of Ascoli Piceno. Monsignor Giovanni Di Benedetto, of the same diocese. March 7. Monsignor Francesco Varano, of the diocese of Aversa. Honorary Chamberlain of Sword and Cape, extraordinary, of His Holiness: February 28, 1921. Mr. Emanuele Raventós y Noguer, of the diocese of Madrid. Mr. Giuseppe Raventós y Noguer, of the same diocese. Mr. Dionisio Garcia-Pelayo et Cordoncillo, of the archdiocese of Seville. Mr. Enrico Martínez y Martínez, of the diocese of Madrid. March 5. Mr. Luigi Codini, of the diocese of Montefiascone. Honorary Chaplains beyond the City of His Holiness: March 15, 1921. Monsignor Alessandro Costantini, of the diocese of Nocera and Gualdo. Monsignor Giuseppe Massei, of the same diocese. Necrology: March 19. March 20. March 24. March 25, 1921. Monsignor Pietro Maria Belmont, Bishop of Clermond-Ferrand. Monsignor Timoteo Hernández, Bishop of Guadix. The Most Reverend Cardinal Giacomo Gibbons, Archbishop of Baltimore. Monsignor Giuseppe Müller, titular Bishop of Sarepta, suffragan of the

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archdiocese of Colonia.

[*Latin ed. p. 209*]

Number 6, May 6, 1921, Year XIII - Volume XIII

ACTA APOTOLICAE COMMENTARII

OFFICIAL LETTER

ENCYCLICAL

TO OUR BELOVED SONS,

TO THE DOCTORS AND STUDENTS OF THE HIGHEST LIBERAL ARTS,

OF THE CATHOLIC WORLD,

WHO, AT THE END OF THE SIXTH CENTURY AFTER THE DEATH OF DANTE ALIGHIERI,

BENEDICT XV

BELOVED SONS,

GREETINGS AND APOSTOLIC BENEDICTION.

Among the illustrious company of men, who, with their splendor and glory, seek to illustrate the Catholic faith, and who, in all fields, but especially in the noblest disciplines of literature, have so excelled that, through the immortal fruits of their endeavors, they have deservedly earned merit for both civil society and the Church, Dante Alighieri holds a singular place, whose death will soon be marked by six hundred years.

Indeed, the excellence of this man has never been more clearly demonstrated than at this time; for Italy, eager to honor his memory, is preparing to celebrate him in a manner worthy of such a great man! Although, as we know, among all civilized peoples there are certain established customs for honoring learned men, so that this outstanding example of human virtue may be celebrated throughout the world.

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ACTA, Volume XIII, No. 6, May 6, 1921.

[*Latin ed. p. 210*]

210 Acta Apostolicae Sedis - Official Commentary. Indeed, it is fitting that We, not only should not be absent from, but should rather preside over, a gathering as auspicious as this, composed of so many virtuous individuals; for Alighieri, above all, recognizes the Church as his mother. Therefore, having, at the beginning of Our Pontificate, sent a letter to the Archbishop of Ravenna concerning the secular embellishment of the temple at Alighieri, which contains the monument of his tomb, We have now, with the same solemnity, considered, beloved sons, who, under the watchful eye of the Church, are devoted to the study of literature, that We should, in a clearer manner, explain to you all the extent of the connection between Alighieri and this Chair of Peter, and how necessary it is to render due praise to that name, so that it may contribute in no small measure to the Catholic faith. And first, since this our Alighieri, in all his life, professed the Catholic religion as an example, it seems fitting that, under the auspices of religion, his solemn commemoration should take place, and that it should begin in Florence, near the church of Saint John, from which most beautiful temple he, nearing the end of his life, eagerly desired to be removed, wishing and longing to receive there the poetic laurel from the font of salvation, where, as a child, he had been duly baptized. When he reached the age in which he flourished in the study of philosophy and divine matters, he followed, among the works of the scholastic doctors, who collected the most excellent things received from the ancients and transmitted them to posterity with subtlety adapted to their reason, the most eminent of them all, Thomas Aquinas, the principal of the School; and from that master, whose angelic mind is renowned, he learned almost everything that he learned through philosophical inquiry and discussion of divine matters, while neglecting no kind of knowledge or science, and devoting much time to reading the Holy Scriptures and the books of the Fathers. Thus, thoroughly instructed in all things, and especially in Christian wisdom...

[*Latin ed. p. 211*]

When Pope Benedict XV set his mind to writing, he undertook a subject matter of almost boundless scope and of the utmost importance, drawn from the realm of religion itself. One can marvel at the incredible magnitude and power of his intellect; but it is equally evident that he received great strength from the inspiration of divine faith, and that his greatest work shines with the manifold splendor of the divinely revealed truth, no less than with all the lights of art. For this work, which is rightly called a divine comedy, even in those very passages which contain, in many places, either invented stories and fictions, or recollections of mortal life, ultimately aims to demonstrate the providence of God, who governs the world both

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in the course of time and in eternity, and who bestows rewards upon men, either individually or in association, or inflicts punishments which they have deserved. Therefore, in this poem, it shines in a most fitting manner with the august Trinity of one God, and with the redemption of the human race accomplished by the Incarnate Word of God, and with the kindness and generosity of the Virgin Mary, the Mother of God, Queen of Heaven, and with the supreme blessedness of the saints and of men; to which is opposed, in the realm of the infernal regions, the punishments established for the impious, with an intermediate place, the abode of souls, to which, after their time of expiation, access to heaven is opened. And a wise connection of these and other Catholic dogmas is apparent throughout the entire poem.

Now, if the investigation of celestial matters, as it progresses, has revealed that the composition of the world and those spheres which were placed there by the teachings of the ancients do not exist, and that the nature, number, and course of the stars and planets are entirely different from what they had previously judged, nevertheless, this entire universe, whatever its parts may be, is governed by the same order, and is administered by the same will by which it was created, by the Almighty God, who moves all things, and whose glory shines more or less in all things: and this earth, which we men inhabit, although it is no longer, as was once believed, the center of the entire heavens...

[*Latin ed. p. 212*]

The Acts of the Apostolic See – the official commentary – ought to state that it was, indeed, the seat of the blessed ancestors, and then a witness, first, to that miserable fall from grace which they committed, and then to the restoration, through the blood of Jesus Christ, of the eternal salvation of mankind. Therefore, he explained that threefold life of the soul, which he had conceived in his mind, in such a way that, before the final day of divine judgment, or damnation, the reprobate or the righteous, for purification or for blessedness, might seek the clearest light from the intimate doctrine of faith. Indeed, from those things which he has written, both in other works and especially in that tripartite composition, we believe that this can be a most beneficial document for our people. First, he affirms that the sum of Holy Scripture ought to be received by Christians with the utmost reverence and with the greatest obedience, because, although there are many writers of the divine word, there is only one Dictator, namely God, who has deigned to explain His will to us through the pens of many. This is certainly said beautifully and truthfully. Furthermore, he states that the Old and New Testaments, which were given for all time, as the Prophet says, contain spiritual meanings which transcend human reason, and which were transmitted by the Holy Spirit, who, through the Prophets and the Holy Writers, revealed to us the supernatural truth of the eternally existing Son

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of God, Jesus Christ, and through His disciples. Therefore, rightly, concerning what follows the course of mortal life, the eternal age, he says, "we are certain, from the most true doctrine of Christ, who is the Way, the Truth, and the Light: the Way, indeed, because through it we strive for the blessedness of immortality without any impediment; the Truth, because it is entirely free from error; the Light, because it illuminates us in the darkness of worldly ignorance." Nor does he neglect to honor and observe those venerable principal Councils, which...

[*Latin ed. p. 213*]

No faithful man doubts that Benedict XV, in his acts, intervened in the matter. Furthermore, he greatly admires the writings of the Doctors of the Church, Augustine and others, whom, he says, aided by the Holy Spirit, are such that whoever doubts their teachings either has not seen their fruits at all, or, if he has seen them, has not understood them in the least. Indeed, Alighieri attributes a great deal of authority to the authority of the Catholic Church, and to the power of the Roman Pontiff, since from it all the laws and institutions of the Church itself derive their validity. Therefore, he earnestly exhorts Christians, who possess both Testaments and are guided by the Shepherd of the Church, to be content with these aids for their salvation. Thus, deeply affected by the misfortunes of the Church, and deploring and grieving over the defection of all Christians from the highest authority, the Italian Cardinals, after the Apostolic See had been transferred to Rome, spoke thus: "We also profess the same Father and Son, the same God and man, and also the same Mother and Virgin, for whom and for whose salvation it was said to Peter: 'Feed my sheep'; to the Romans, to whom Christ confirmed his dominion over the world, both in word and in deed, after so many triumphs; and whom both Peter and Paul, the preacher to the Gentiles, consecrated to the Apostolic See with the sprinkling of their own blood; whom now we are compelled to lament, not with Jeremiah, lamenting those who are to come, but lamenting after those who have already gone, as a widow and deserted. Alas, it grieves us no less to see the lamentable plague of heresy!" Therefore, the Roman Church is either called the most pious mother, or the Bride of the Crucified. And Peter is considered incapable of being deceived, as the judge of the truth entrusted to him by God, to whom everyone must give the most obedient obedience in matters of faith and practice, for the sake of eternal salvation. Therefore, although he believes that the dignity of the Emperor originates from God himself, he nevertheless says, "this truth must not be understood so strictly, so that the Roman Prince yields in nothing to the Roman Pontiff."

[*Latin ed. p. 214*]

Acta Apostolicae Sedis - The official commentary adds: because this earthly happiness is, in a certain way, ordered towards eternal happiness.

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- Indeed, the most excellent and complete wisdom, which, if diligently observed today, will certainly bring abundant prosperity to public affairs. But he vehemently and insultingly attacked the Supreme Pontiffs of his time. - Namely, those from whom he disagreed on matters of state, accusing them of acting in a way that he believed had driven him from his homeland. However, it must be acknowledged that a man subjected to such severe vicissitudes of fortune, if he uttered anything that seems to exceed the bounds of propriety, should be excused; all the more so, because it is certain that rumors, as is customary, have added fuel to his anger, and that men, as is their wont, interpreted everything about his adversaries in the worst possible light. Furthermore, because - which is the weakness of mortals - "it is necessary that even religious hearts become soiled by the dust of the world," who would deny that there were, at that time, certain things among men of the sacred order that were not commendable, which afflicted his spirit, who seemed devoted to the Church, with grief and annoyance, when, as we have learned, he expressed grave complaints to men of outstanding sanctity? But, whatever he may have criticized or reproached in the sacred order, whether rightly or wrongly, he never intended to detract from the honor due to the Church, nor from the observance of the Supreme Keys: therefore, he defended his own opinion in matters of state, relying on that reverence which a pious son owes to his father, which a pious son owes to his mother, which piety towards Christ, piety towards the Church, piety towards the Pastor, piety towards all of the Christian religion, professing, for the sake of salvation and truth. Having thus established these foundations of religion, it is not surprising that, when one examines his writings, one finds a certain treasure of Catholic doctrine contained therein, that is, with Christian philosophy and theology.

[*Latin ed. p. 215*]

The acts of Pope Benedict XV, Section 15, concern both the highest principles and the divine laws regarding the ordering and administration of public affairs: for he was not Alighieri, who, in the name of expanding his homeland or pleasing princes, would dare to say that justice and the law of God could be neglected publicly, knowing full well that the stability and foundation of states depend most on their preservation. Therefore, while this poet is indeed remarkable, given his excellence, and may be sought for enjoyment, he also offers no small benefit, being perfectly suited to both the cultivation of learning and the discipline of virtue; provided, however, that he who approaches him is free from preconceived opinions and is a studious seeker of truth. Indeed, while many good poets are numbered among us, who seem to grasp every point, as it is said, blending the useful with the pleasant, Dante possesses this quality in a singular way, captivating the reader with the variety of his images and the beauty of his colors,

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and with the grandeur of his sentiments and words, thus drawing him to a love of Christian wisdom and stirring him; and he himself openly declared that he composed this work with the intention of providing nourishment for all. And so we know of some, even in recent memory, who, though distant from Christ, were not averse to him, who, when they were devoted to the reading and study of this work, were first led to perceive the truth of the Catholic faith through divine grace, and then willingly embraced the bosom of the Church. What has been said thus far sufficiently demonstrates how opportune it is that, through these means, everyone in the Catholic world should be encouraged to cherish and defend the Faith, for which this very virtue has been admirably displayed, if ever, in Alighieri. For in him, not only does the highest faculty of genius inspire admiration, but also a certain immense greatness of subject, which divine religion has granted him to sing of; and he, who possessed only natural keenness, for a long time and greatly refined it through the contemplation of the ancients, but he sharpened it even more through the disciplines of the Doctors and Fathers of the Church, as we have said; which gave him the ability to soar much higher in thought and mind.

[*Latin ed. p. 216*]

216 Acta Apostolicae Sedis - Commentarium Officiale, and he could have achieved more, had he remained within the limits of nature, which are, indeed, very narrow. Therefore, although he is separated from us by so great an interval of centuries, one might almost call him a man of this age; certainly, he is far more recent than any of those ancient authors whom Christ, victorious from the Cross, has banished from our midst. He possesses the same piety, the same religious sentiments, and uses the same expressions as we do, such as "the truth brought to us from heaven, by which we have been so wonderfully elevated." This is his most noble praise: to be a Christian poet, that is, to contemplate with all his soul the Christian institutions, to feel them marvelously, to live by them, and to sing of them with a divine inspiration. Those who doubt this, and who compare all of his poetry to a religious farce, devoid of any truth, certainly misunderstand what is most important in our poet, and the foundation of all his other praises. Therefore, if Dante owes so great a part of his honor and his greatness to the Catholic faith, then, let us say, even with this one example, it can be affirmed that it is far from hindering the progress of studies and of human intellect to have devotion to God; rather, it encourages and promotes it. Furthermore, it is rightly concluded that those who, in the education of youth, do not allow religion to have any place, are giving very bad advice to the progress of studies and of human culture. It is regrettable that the discipline by which young people are educated in public institutions is often such that no account is taken of God's relationship to man, or of any of those things which are above nature. For, although "sacred poetry" is not considered

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foreign to public schools, and is even included in the list of books that should be read with care, that vital nourishment, for which it was born, is often least of all offered to young people, because, due to a flaw in the discipline, they are not animated with regard to those things which are of divine faith, as they ought to be. May these secular celebrations achieve this, that wherever there is an opportunity to educate, in

[*Latin ed. p. 217*]

From the Acts of Pope Benedict XV, 217, a letter to the youth: Honor is due to Dante, who himself instilled Christian doctrine in his students; for in composing his poem, his sole purpose was to move those living in this life to consider the state of misery, that is, of sin, and to lead them to the state of happiness, that is, of divine grace. You, however, beloved sons, to whom it has been granted to pursue the best studies of the arts, under the guidance of the Church, love and cherish this poet, as you do, whom we do not doubt is the most eloquent of all, a praiser and herald of Christian wisdom. For the more you advance in the love of him, the more perfectly will you illuminate your minds with the splendor of truth, and the more steadfastly will you remain in the service and study of the holy Faith. And may I, as a witness of divine gifts and of our paternal benevolence, impart to you all, beloved sons, our apostolic blessing with all our heart. Given in Rome, at Saint Peter's, on the thirtieth day of the month of April, in the year 1921, in the seventh year of Our Pontificate. BENEDICT PP. XV, 1 Epist. X, § 15.

[*Latin ed. p. 218*]

218 Acta Apostolicae Sedis - Commentarium Officiale. EPISTOLA 1 Ad R. P. D. ANDREAM DE SZEPTYCKI, Archiepiscopum Leopoliensium; De Ruthenorum Collegio iterum in urbe a pretendo ac de conditione rerum illius populi rescribens.

Venerabile frater, salutem et apostolicam benedictionem. — Dolorem quem Nos sentimus mense Maio anno 1915, cum ex hac alma urbe vidimus discedere caros filios Collegii Ruteni, qui sub umbra Sanctae Reginae de Zyrovice (del Pascolo), tam cari populo Ruteniae, se parabat ad futuros ministros altaris, nunc tandem lenitur per preces quas illa, in sua qualitate Metropolitana, ad Nos dirigit, ut Collegium ipsum re-aperiatur; et Nos, qui gaudii habuimus iterum consistere circa Cathedram Apostolicam iuvenes clericos ex variis, olim belligerantibus, terris, bene volentes sumus consentire ad suam propriam petitionem. Attamen, cum Collegium Rutenum, plus quam alia, tristia effecta conflagrationis mundi senserit, quia, consequenter eiusdem, privatum fuerat partem magnam suarum rerum, quae illi ministrabantur a defuncto Imperio Austro-Hungarico, Nos curavimus etiam nunc assurgere ad eius existentiam, assignans illi congruam summam, per quam Collegium sustinere possit tantos alumnos,

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quot erant ante bellum. Bene veniunt ergo carissimi filii Collegii Ruteni, nunc cum Providentia etiam pro illis horam salutaris reversionis sonat; et Nos ipsi libenter revidemus legatos illius cari populi, qui fortasse plus quam alii omnes horrores immensis conflictus cognoverunt. Et vere animo afflicto Nos, cogitando de Ruthenis, memini urbium sacrorum expoliatorum, villarum tranquillarum incendiarum, agrorum fertilium cursum et recessum exercituum immensorum. Et cum cogitatione populi, adhuc in animo Nostro sunt ecclesiae devastatae, imagines sacrae fractae, sacra ornamenta facta instrumento ludibria, et plus quam omnia, quod Nos implet horrore, Species Eucaristicae calpatae a fanaticis inconsutis. Horrores famis, crucis temporum, morbis feralibus, cruciatibus atrocibus, captivitatibus, de quibus ipse, venerabilis frater,

[*Latin ed. p. 219*]

The acts of Pope Benedict XIV, Section 19, still bear witness to the stigmata, the killings of venerable priests, of old men, of weak women, of so much flourishing youth, all guilty of showing attachment to their own rite; all of this is clearly depicted before Our eyes, and together with a profound sense of paternal piety, it inspires Us to raise a special prayer to God, so that after so many trials worthy of divine clemency, the divine mercy may regard favorably a valiant people, which has so well known how to suffer for the preservation of its rite, the palladium of its nationality. And if We must recall with our memory the paternal care of this Apostolic See and Our personal interest in the beloved Ruthenian people, We are pleased to remember that We were happy to give tangible proof of this as soon as We learned from some representatives of the Ruthenian people of the suffering of those miserable populations. It was then that We hastened not only to send aid, but also to establish and send to the place Our special Delegate, who would bring to all, on Our behalf and in Our name, words of comfort and help of charity; although circumstances independent of Our will and the zeal of the Pontifical Visitor prevented the beloved son, Father Giovanni Genocchi of the Missionaries of the Sacred Heart, from going among the Ukrainians, nevertheless, from the reports that he sent Us, We have had, unfortunately not separated from the painful confirmation of the martyrdom of that generous people, the longed-for sweet consolation of being assured that, especially in the midst of the war, and especially in the snares laid for its clergy, very few defected. While We weep over the fall of these unfortunate sons of Ours, We are nevertheless greatly comforted by the knowledge that their apostasy has found no following among the people, and that, on the contrary, they have been the object of such contempt for their sacrilegious act, that they were forced to abandon their countries and seek refuge elsewhere. For this very reason, We, who are deeply concerned about the return to the unity of the faith of the Eastern peoples, in whom religious sentiment is so alive, have firm confidence that, through

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the Ruthenians, always close to the Roman See, but now more fortified in the faith by recent calamities, the pious wish of Our illustrious predecessor Urban VIII may soon be fulfilled, with those memorable words: "For you, My Ruthenians, I hope to convert the East." Let the beloved Ruthenian clergy come, therefore, and let them come without delay; We await them with loving eagerness, and We fervently pray to the Lord that Our beloved sons of the land of Ruthenia may be granted the grace to be fully formed, in the shadow of the Chair of Peter, in that holy apostolate which will give to Christ and to His Vicar the joy of seeing so many millions of Christians return to the one fold, who now live separated from it.

[*Latin ed. p. 220*]

No Acts of the Apostolic See – Official Commentary ratified. With this hope, We wholeheartedly impart to you, venerable brother, to your colleagues in the episcopate, and to the most beloved faithful of the land of Ukraine, the apostolic blessing. From the Vatican, February 24, 1921. BENEDICT XV.

TO THE REVEREND FATHER AND DOCTOR MARIUS BESSON, BISHOP OF LAUSANNE AND GENEVA, AND TO THE OTHER BISHOPS OF SWITZERLAND; PRAISING THE INTENTION OF CELEBRATING THE FOURTH CENTENARY FROM THE BIRTH OF BLESSED PETER CANISIUS.

Venerable brothers, greetings and the apostolic blessing.

The studies of Our Office inform us that you have, as We have learned, undertaken to commemorate the memory of Blessed Peter Canisius with due honor, as the fourth century from his birth draws to a close. We are very pleased and grateful for this. For if, in times most harmful to religion, when the desires of new things widely prevalent obscured the light of Catholic doctrine, and the best of Christians changed their color, the Swiss have preserved the Catholic faith, this, according to God, must be attributed primarily to the vigilance, prudence, and religious zeal of this man.

It is Our intention to pursue the virtues of this man, to celebrate the labors by which he not only benefited the Swiss, but also the peoples of Austria and Germany, to illustrate the wealth of doctrine and erudition which he brought to the common good by teaching in schools, preaching, writing, disputing with adversaries, and imparting the light of counsel and exhortation to all.

Our Predecessor, Pope Leo XIII, touched upon this matter in the encyclical letter "Militantis Ecclesiae," given during the solemnities which were celebrated upon the completion of the third century from the death of Canisius.

We now urge you to ensure that, while you bestow honors worthy of the man who so excellently deserved them in sacred and civil matters,

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these honors also contribute to the benefit of your Churches. We desire that the memory of Peter be so established that your Christian faithful, from the examples of his life suitably presented, may feel how they ought to fulfill that divine duty of faith for which Peter so fiercely and for so long contended; and that men of the clergy may learn by what arms of piety and doctrine the patronage of truth and religion should be undertaken.

The times, as you see, are passing in which both the poisons of doctrines and the many temptations of vices are daily present.

[*Latin ed. p. 221*]

The acts of Pope Benedict XV concerning faith and morals are daily causes of detriment to the Christian faithful, and are struggles which remain for men of the sacred order, if, mindful of their vocation, they wish to properly fulfill their office. Both must be strengthened, so that some may be strong in faith, and others may strive to be good soldiers of Christ Jesus. Therefore, let this day offer an opportunity for this, and let it be used wisely, so that it may contribute to the good. We indeed exhort your faithful, that they not lack in their studies and aspirations, and to you, Venerable brothers, whom we have received, confident that you will bring forth abundant fruits from your labor and industry, and to your dioceses, which we desire to grow daily in the manifestation of the spirit and virtue, we impart our paternal apostolic blessing, a pledge of heavenly grace and of our benevolence, through Christ our Lord. Given in Rome, at Saint Peter's, on the first day of April, in the year 1921, in the seventh year of Our Pontificate. BENEDICT XV.

[*Latin ed. p. 222*]

Acts of the Apostolic See – Official Commentary

ACTS OF THE HOLY CONGREGATIONS

SUPREME HOLY CONGREGATION OF THE SACRED OFFICE

DECREE OF CONDEMNATION: EDMOND CAZAL, "SAINTE THERESE!"

To the Most Eminent and Reverend Lords Cardinals, Inquisitors General in matters of faith and morals,

In the ordinary session held on Thursday, April 20, 1921, the book: "Edmond Cazal, Sainte Therese," Paris, Librairie P. Ollendorff, was condemned according to the prescription of Canon 1399, and it was declared to be placed in the Index of Prohibited Books, especially for this reason, lest the faithful be possibly led into error by the title.

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And on the following Friday, April 21 of the same month and year, the Most Holy Lord Pope Benedict XV, by divine Providence, in the usual audience granted to the Reverend Father Assessor of the Holy Office, approved the aforementioned resolution of the Em. PP. and ordered it to be made public.

Given at Rome, from the offices of the Holy Office, on April 22, 1921.

A. Castellano, Notary of the Supreme Sacred Congregation of the Holy Office.

SACRED CONSISTORIAL CONGREGATION

DECREE CONCERNING THOSE TO BE PROPOSED FOR THE EPISCOPAL OFFICE IN BRASILIA

Concerning the regulations recently established for the election of Bishops in America, the Most Holy Lord Pope Benedict XV, after due deliberation, has decreed that they be extended to the Republic of Brazil, with a few modifications, since these regulations are appropriate for the needs of the present time and, as far as humanly possible, are opportune.

[*Latin ed. p. 223*]

The Sacred Congregation Consistorial, therefore, concerning the matters set forth above, prescribes the following:

1. For the purpose of proposing priests suitable and worthy for the episcopal ministry, a gathering of Bishops shall be held every three years, or at least every five years, within a designated time frame.

2. There shall be provincial gatherings, that is, all and each Ordinary of the dioceses of each province shall convene together, unless it is determined that, for provinces comprising only a few dioceses, two provinces may convene together; which the aforementioned Bishops may propose.

3. The Prelates shall not attend the gatherings of Bishops of their province, but shall participate with the same rights as the others.

4. Every three years or five years, as stated above, at the beginning of Lent, starting from the year 1922, all and each Bishop shall judge the names of priests submitted to him by his Metropolitan or senior Archbishop (if two ecclesiastical provinces convene together), those whom they deem worthy of the episcopal ministry. However, nothing prevents the proposal of priests from another diocese or province among these; it is, however, strictly required that the one who is proposed be personally known to the proposer through long acquaintance.

5. Along with the name, the candidates shall also indicate their age, their place of origin, and their current place of residence, and the office in which they primarily serve.

6. Before determining whom to propose, both the Archbishops and the

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Bishops may inquire of prudent ecclesiastical men for necessary information, but in such a way that the purpose of this inquiry shall remain entirely concealed. They shall not disclose the information received to anyone, except perhaps in the gathering of Bishops, as mentioned below.

7. The names that the Bishops propose according to article 4 shall not be disclosed to anyone, except to their Metropolitan or senior Archbishop.

8. The Metropolitan or senior Archbishop, having received the names of the candidates from the other Prelates, shall add his own: he shall prepare a complete index in alphabetical order, and, informing the proposers, he shall send this list to each of his Suffragan Bishops, so that these may carry out appropriate investigations into the qualities of those whom they do not personally and certainly know.

9. Such investigations, and the reason for them, shall be carried out with the utmost secrecy, as stated above in article 6. If a Bishop fears that the matter will become public, he should refrain from further investigations.

10. After Easter, on a date and at a place determined by the Metropolitan or senior Archbishop, all the Bishops shall convene to select those who...

[*Latin ed. p. 224*]

224. The Acts of the Apostolic See – an official record – must be presented to those engaged in the episcopal ministry. These proceedings should, however, take place without any formality, as if in a familiar gathering, and all attention should be given, while newspapers and ephemeral publications, and all forms of idle curiosity, are to be avoided. 11. In the meeting, having invoked divine assistance, each individual, the Archbishop not excepted, shall swear to maintain secrecy regarding the proceedings, so that the bond by which all are united may be made more sacred; after this, the rules for making an election shall be read. 12. Then, one of the Bishops present shall be elected as Secretary. 13. Once these matters are concluded, the Prelates will come together for discussion, so that, among all those presented, they may select the most worthy and suitable candidates. This, however, shall be done as if Christ were present, and under His gaze; with all human considerations set aside, with prudence and charity, with the supreme good of the Church, divine glory, and the salvation of souls as the sole focus. 14. The candidates should be of mature, but not excessively advanced, age; endowed with prudence; experienced in their dealings, with this experience confirmed by the exercise of their ministry; adorned with the soundest and not commonplace doctrine, which is joined with due devotion to the Apostolic See; and, above all, distinguished by honesty of life and piety. Attention must also be paid to the candidate's capacity for the administration of temporal goods, to his family circumstances, and to his character and health. In short, it must be seen whether he possesses all those qualities that are required in an excellent shepherd, so that he may govern the people of God with fruitfulness and edification. 15. After the discussion, the voting

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shall proceed in this manner: a) Those Bishops whose judgment, for whatever reason, has deemed certain candidates unsuitable and therefore to be removed from the list of those to be considered, shall not be called upon to vote; for the others, even the most highly regarded, a vote shall be taken. b) The candidates, in alphabetical order, shall be presented for voting: the votes shall be secret. c) All the Bishops, the Metropolitan not excepted, shall use three ballots for each candidate, namely, one white, one black, and a third of another color: the first to indicate approval, the second to indicate disapproval, and the third to indicate abstention. d) Each Bishop, with the Archbishop presiding, shall deposit in the urn, which has been prepared for this purpose, the ballot indicating the priest whom they deem worthy, before God and with a heavy conscience; the other two ballots shall be deposited in a separate urn, also secretly. e) Once the voting is complete, the Archbishop, with the Episcopal Secretary present, shall count the ballots and their colors before all, and shall record the results in writing.

[*Latin ed. p. 225*]

225. The Sacred Congregation Consistorial [Decree] 1.6. After the examination of all matters has been completed, it will be permissible for the Bishops, if they deem it advisable, or if any of them request it, to, by means of a new scrutiny with full or proportional votes, designate from among those approved, who is to be preferred. For this purpose, each elector will note the name of the one he prefers on a ballot, and deposit it in the urn; the examination of the ballots will then be carried out as described above, number 15, letter e. 17. Although the Supreme Pontiff reserves the right to, through the Apostolic Nuncio or by another means, request advice from the Bishops or Archbishops concerning the choice of a person who seems more suitable for the governance of a given diocese or archdiocese, it will nevertheless be permissible for the Bishops in the same assembly to indicate, at least in general terms, to which diocese or other candidate they consider more suitable; for example, whether it is a small, orderly, and peaceful diocese, or one of greater or more difficult importance, or one in which more ordinations or new foundations are needed; whether it is a diocese with a milder climate and easier access, and other similar considerations. 18. The Bishop, during the secret deliberations, will carefully note what is expressed by each elector concerning each candidate, the conclusion of the discussion, and the outcome, both in the first scrutiny and in the second (if one is held), and what has been said specifically according to article 17. 19. The prelates shall not depart from the assembly before the report prepared by the Bishop Secretary, concerning the names proposed, the qualities of the candidates, and the votes obtained, has been read by him, and before they have approved it. 20. A copy of the proceedings will be signed by the Archbishop, the Bishop Secretary, and the other Bishops present, and will be sent to this Sacred Congregation as safely as possible

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through the Apostolic Nuncio. The proceedings themselves will be kept by the Archbishop in the most secret archives of the Holy Office, but will be destroyed after one year, or even sooner, if there is a danger of the secret being violated. 21. After these matters, it will always be permissible for the Bishops, whether on the occasion of the proposal of a candidate or the vacancy of a certain office, especially one of greater importance, to write letters to this Sacred Congregation or to the Most Holy Father himself, in which they make known their opinions concerning the qualities of persons, either absolutely or in relation to the provision of said office. Given at Rome, from the offices of the Sacred Congregation Consistorial, on the 19th of March, 1921. f$j G. CARD. DE L A I, Bishop of Sabina, Secretary. L. © S. Aloysius ACTA, vol. XIII, n. 6. — 6-5-921. Sincero, Assessor. 16.

[*Latin ed. p. 226*]

Acts of the Apostolic See - Official Commentary II. BRIXEN. DECREE WHEREBY THE BRIXEN DIOCESE IS SEPARATED FROM THE ECCLESIASTICAL PROVINCE OF SALZBURG AND MADE IMMEDIATELY SUBJECT TO THE APOSTOLIC SEE. Because the rights and duties by which the Brixen Diocese, as a suffragan, is bound towards the metropolitan see of Salzburg, are, in the present state of affairs, subject to certain difficulties, Our Holy Father Benedict XV, having considered what seemed necessary, decreed that the Brixen Diocese should be absolved from the metropolitan jurisdiction of the Archbishop of Salzburg. Wherefore, in execution of the apostolic mandate, this Holy Consistorial Congregation, by virtue of the present decree, separates the Brixen Diocese from the ecclesiastical province of Salzburg and constitutes it as immediately subject to the Apostolic See. All contrary things notwithstanding. Given at Rome, from the offices of the Holy Consistorial Congregation, on the 25th of April, 1921. C. CARD. DE LAI, Bishop of Sabina, Secretary. L. S. Aloisius Sincero, Assistant. III. DECREE CONCERNING THE DENOMINATION OF THE BISHOP AND THE PRINCIPAL ALBERT DIOCESE. Our Holy Father Benedict XV, after consultation with the Most Reverend Fathers of the Consistorial Congregation, benignly decreed that the Bishop in office, Principal Albert, shall henceforth be called "Bishop of Principal Albert and Saskatoon," and that the diocese shall also bear this title. Given at Rome, from the offices of the Holy Consistorial Congregation, on the 30th of April, 1921. C. CARD. DE LAI, Bishop of Sabina, Secretary. L. S. Aloisius Sincero, Assistant.

[*Latin ed. p. 227*]

Sacred Congregation of the Consistory. • * IV PROVISIONS CONCERNING CHURCHES. By decrees of the Sacred Congregation of the Consistory, His Holiness Pope Benedict XV has provided for the following churches, namely: April 9, 1921. — To the titular episcopal Church of Clismatis, he

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appointed the Reverend Paul Rémond, a priest from Bisuntinum; April 30. — To the Cathedral Church of the Body of Christ, the Reverend Emmanuel Ledwina, an urban administrator. V NOMINATIONS. By successive decrees of the Sacred Congregation of the Consistory, His Holiness Pope Benedict XV has nominated: January 15, 1921. — The Reverend Monsignor Maximilian Novelli, as titular Bishop of Andrapana, and Apostolic Administrator of the diocese of Collensis; February 28. — The Reverend Monsignor Andrea Masera, as titular Bishop of Himeria, and Apostolic Administrator of the diocese of Leghorn; March 16. — The Reverend Monsignor Anthony Galati, as Apostolic Administrator of the diocese of Hieracensis; March 21. — The Reverend Monsignor Francis Mostyn, as Archbishop of Cardiff, and Apostolic Administrator of the diocese of Menevia, at the request of the Holy See; April 1. — The Reverend Monsignor Carmel Pujia, as Archbishop of Santa Severina, and Apostolic Administrator of the diocese of Cotrone; April 2. — The Reverend Monsignor Fortunatus Farina, as Bishop of Troia, and Apostolic Administrator of the diocese of Fodiana.

[*Latin ed. p. 228*]

228 'Acta Apostolicae Sedis - Commentarium Officiale. SACRA CONGREGATIO CONCILII DIOECESIS N. TRANSLATIONIS. Die 19 Februarii 1921. QUAESTIO. - Reverendissimus Ordinarius dioecesis N. interrogat utrum, post promulgationem canonis 838, lex Conciliaris ecclesiasticae provinciae ad quam pertinens in qua haec edicta sunt, quae dicit: "Nominatim prohibemus Missas celebrandas dare extra ambitum uniuscuiusque dioecesis absque permutatione Ordinarii," debeat censeri abrogata, secundum canonem 6 § 1. Sunt enim qui opinantur – dicit Ordinarius – hanc legem Conciliaris potius praeterire, quam contra canonem 838 aliquid statuere, determinando videlicet conditiones facultatis canonis 838 indeterminate collatae; verum haec ratio a pluribus repudietur, nec facile constat quid in hac re practice tenendum sit. ANIMADVERSIONES. - Exploratum hodie apud omnes est potestatem legislativam Episcoporum huc pertinere ut legibus suis quasi perficiant quod ius commune reliquerit minus definitum et sancitum, ita ut nihil ab ipsis contra ius commune vel eius directionem statui possit. "Inde quoque sequitur," – ait Wernz, Ius Decretalium, II, n. 756, "Episcopos suis legibus nihil posse prohibere quod iure communi expresse et indubitanter est permissum, nisi ipsi sacri canones id eis aperte concedant." Quod valet etiam de decretis Concilii provincialis, quae non sunt nisi leges communes plurium Episcoporum. Namque approbatio S. Sedis, quae mere condicio est legitimae promulgationis, nullam positivam S. Sedis auctoritatem ad ista decreta superaddit (cfr. Bened. XIV, de syn. dioec, l. III, c. 3, n. 3; Lucidi, Vis. SS. Lim., I, n. 157). Iam vero canon. 838 haec clara verba habet: "Qui habent Missarum numerum de quibus sibi liceat libere disponere, possunt eas tribuere sacerdotibus sibi acceptis, dummodo probe sibi constet eos esse omni exceptione maiores, vel testimonio proprii

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Ordinarii commendatos." Quibus verbis apertissime conceditur facultas tradendi stipendia etiam extra dioecesim, si certae condiciones observentur, inter quas non repe-

[*Latin ed. p. 229*]

The Holy Congregation of the Council deems it permissible for the granting of permission by the Ordinary of the place of transmission, but only the recommendation of the Ordinary to the priests to whom the Masses are to be celebrated is required, if they are not well known to the transmitting party. And from these words of the canon, or these conditions, we can gather that, even before the Code, the Holy See, through this Holy Congregation, had regulated this matter according to the demands of the common good. Especially noteworthy are the decrees *Ut debita*, of May 11, 1904, sections 5° and 6°, and the recent decree, no. 21, of May 1907. In the former decree, no. 5°, the freedom to grant stipends "besides that to one's own Ordinary or the Holy See," is granted "also to priests who are well-disposed." In the latter decree, wishing to prevent inconsiderate transmissions, the Holy Congregation requested the intervention of the Ordinary, not of the transmitting Ordinary, but of the priest to whom the Masses are assigned. Therefore, it is clear that in these decrees, the necessity of the license of the transmitting Ordinary was avoided, although the necessity to address abuses that had arisen had once been completely established. The reason for this omission can easily be given. With prudent transmission, the most opportune charity can be exercised towards needy priests or churches in other regions. At present, there are not lacking dioceses in which, without this kind of support, many would be reduced to true poverty. However, the Ordinary is usually so concerned with fostering and expanding the works of his diocese that the condition of first obtaining his license for such transmissions, established and prescribed without any distinction, would present a considerable obstacle to practice. If, however, in certain cases, a particular need of the diocese seems to require that stipends not be taken out of the diocese, it will be possible, through an indult from the Holy See, at the request of individual Ordinaries, to provide for this need according to the diversity of circumstances. These things have been said regarding the general provision that requires the condition of the license of the Ordinary of the place for the transmission of stipends outside the diocese. This not only contradicts the law of the Code, but also a higher law, as has been established by the decrees of the Holy Congregation at the beginning of this century, and, furthermore, is not only contrary to, but truly against, the canons. But it is not to be overlooked the special authority that the Bishop possesses over certain stipends, by virtue of the jurisdiction and high administration that belongs to him with respect to many churches and pious places. For stipends can be given or assigned either to persons or to places; in the former case, the priest freely uses the right granted to him

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by canon 838. In the latter case, the rector of the church or pious place is subject to the Ordinary of the place, and the norms of the place are abided by.

[*Latin ed. p. 230*]

Acts of the Apostolic See - Official Commentary: The aforementioned regulations must be observed when transmitting the funds prescribed in the statutes. – Regarding this norm, a response must be given to the proposed question, if it arises, with the reservation, etc. RESOLUTION. – In the plenary sessions of the Sacred Congregation of the Council, held in the Palace of the Vatican on February 19, 1921, concerning the proposed question, namely: Whether and in what manner the disposition of the Provincial Council N. can be maintained in this case, the Most Eminent and Most Reverend Fathers decided that: "Regarding Masses founded, or in the manner of manuals, or 'manuals' given with a pious intention, the answer is affirmative; in all other cases, canon 838 of the Code of Canon Law must be observed." This resolution, having been subsequently referred to the undersigned Secretary of the Sacred Congregation, was deigned to be approved and confirmed by Our Most Holy Lord Benedict, Pope XV. I. MORI, Secretary. SACRED CONGREGATION FOR RELIGIOUS APPROVAL OF CONSTITUTIONS By Decree of the Sacred Congregation for Religious, Our Most Holy Lord Benedict XV: April 10, 1921. – The Constitutions of the Institute of Sisters "Figlie della Carità del Preziosissimo Sangue," commonly known by that name, whose principal house is located in the diocese of Nuceria Paganorum, were definitively approved; – The Congregation of the Daughters of the Immaculate Conception of the Blessed Virgin Mary, whose principal house is located in the archdiocese of Reggio, was approved, as well as its Constitutions, for a trial period of seven years.

[*Latin ed. p. 231*]

SACRED CONGREGATION OF RITES

DECREE OF CONFIRMATION

Concerning the cult rendered from time immemorial to Margaret of Lorraine, a professed nun of the Second Order of St. Francis, blessed.

Born of a royal lineage and pious parents, Frederick of Lorraine, Count of Valemont, and Yolanda, daughter of René of Anjou, King of Sicily, Margaret of Lorraine, Duchess of Alençon, was born in the year 1463. She was a professed nun of the Order of Santa Clara, after having been a widow. From her infancy, she was imbued with religion and good morals, and at the age of thirteen, she displayed modesty, obedience, a love for things divine, and

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other virtues beyond her years. She greatly delighted in the reading of the lives of the Saints, in order to elevate her mind from earthly and fleeting things to heavenly and eternal things, and also to learn and follow the paths of holiness and justice, which she would hold fast throughout all the days of her life. She attended the school of Saint Elizabeth of Thuringia, her kinswoman, of whom she was proud, and therefore she resolved to imitate her example in all things. After being married to René of Valois, Duke of Alençon, she maintained her former way of life. Free from worldly vanities and adorned only with modest attire, she devoted herself constantly to divine worship, cultivating piety, and was also most closely united to her husband in faith and love. Therefore, in the annals of the Third Order of St. Francis, it is written to her praise: "Great joy was brought to the spouses by having her as a bride; the people rejoiced that so excellent an example of virtue was presented to them." Four years and four months after her husband's death, this strong woman, full of divine wisdom, had to resume, from herself, the duties of education, namely, the education of her children, Charles, Francisca, and Anne, and the governance of the duchy, until her son reached the age of majority. She entrusted her children, already committed to the faith and to the protection of the Immaculate Mother of God, under the powerful patronage of this Virgin, and she instructed them fully in her own virtuous examples and religious rules, fulfilling the duties of a mother diligently and carefully, until she had placed them in a noble and fitting position. Charles, indeed, was placed in command of the troops by the King of France, and he held the functions and the office of supreme military prefect. Margaret of Valois, sister of Francis I, gave Francisca in marriage to...

[*Latin ed. p. 232*]

She arranged a marriage for Francis of Orleans, the Duke of Longueville, with whom she had no children. In her second marriage, she gave Anne to Charles of Bourbon, the Duke of Vendôme, from which union was born Anthony of Bourbon, King of Navarre and father of Henry the Great; and she gave the younger Anne in marriage to William of Palaeologus, Marquis of Montferrat, whose daughter married Frederick, Duke of Mantua. It is fitting here to mention one of the admonitions that Margaret wrote to her son, Charles: "Love God above all things, and not only desire to live with Him, but also to die for Him; the glory of princes does not consist in what they command to the people, but in the execution of the divine will." Nevertheless, in exercising the ducal authority that she held for twenty years and more, she demonstrated exceptional prudence in all things, outstanding piety, eminent justice, and also great charity towards the sick, whom she cared for with her own hands and on her knees, and towards the poor, whom she affectionately called "her masters," and to whose benefit she distributed a third of her possessions. Furthermore, she

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enriched her government with public and memorable works for the benefit of her people, giving a third of her possessions to those things that belonged to God, and erecting and endowing many monasteries, hospitals, chapels, and churches. Truly, after having accomplished so much, she provided a perfect example for rulers. Finally, freed from the burden of government, she first gave her name to the Third Order of St. Francis, and then, with a prompt and joyful spirit, entered the monastery of St. Clare in Argentomagus, which she herself had founded and endowed, where, after completing her novitiate, she pronounced her vows. These things are extracted from the process records, in which her virtues are wonderfully described with a fluent pen: faith, hope, charity, humility, and obedience, continence, and chastity, along with bodily fasts, vigils, and other penances. Thus, the aforementioned annals of the Franciscan Order teach in summary: "Blessed Margaret of Lorraine was all the more distinguished by how much she amplified the splendor of her

And thou shalt command them to speak to their masters."

Finally, the Handmaid of God, afflicted by a fatal illness and reduced to her last moments, at the request of the religious sisters and others present, and after being strengthened with the sacraments of the dying, breathed her last with a kiss of the Cross of the Lord, on the night of November 2, in the year 1521, at the age of fifty-eight. After solemn funeral rites, her body was buried in the church of the same monastery of the Poor Clares in Argentomagus, which Margaret had built. Meanwhile, the fame of the sanctity of her life, her virtues, and her miracles, both in life and after death, spread and was propagated, especially when joined with the public and ecclesiastical veneration shown to her.

[*Latin ed. p. 233*]

The Holy Congregation of Rites, in its deliberation number 233, having considered the matter with due diligence, and especially the devotion practiced from time immemorial, except for the case exempted by the decrees of Urban [VIII], it was determined, with ordinary authority, that an Informative Process should be completed in the ecclesiastical court of Séez, supported by numerous documents, monuments, and testimonies. This, together with a favorable opinion, was concluded and sent to Rome, to the Sacred Congregation of Rites, on the twenty-sixth of March in the year nineteen hundred and ninety-nine. Furthermore, the writings of the Servant of God were also reviewed, in accordance with the decrees of the eleventh of November, 1912, and the thirty-first of January, 1913. This occurred with the urging of the Reverend Father Francis Maria Paolini, of the Order of Friars Minor, who was then the Postulator of the cause. The same Congregation, on the twenty-third of December, 1914, responded: "Nothing prevents further proceedings." However, the discussion of the cause itself was postponed due to the calamitous war that had continued

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until then. Now, with the impediments removed, and at the request of the Reverend Father Anthony Maria Santarelli, the current General Postulator of the Order of Friars Minor, and after considering the letters of certain Eminences, namely, Cardinals, Archbishops, and Bishops of France, under the presidency of the Reverend Monsignor Claude Bardel, Bishop of Séez, in whose diocese the Servant of God lived and died, as well as the Chapters and regular Orders, especially the entire Franciscan family of both sexes, and in particular the cloistered nuns of the Convent of the Clarisses of Alençon, founded by the Blessed Margaret, and with the Eminence and Reverend Cardinal Januarius Granito Pignatelli di Belmonte, Bishop of Albano Laziale, and Promoter of this cause, in the ordinary assembly of the Sacred Congregation of Rites, convened at the Vatican, the following question was proposed for discussion: "Is the judgment rendered by the Reverend Judge, delegated by the Bishop of Séez, regarding the devotion practiced from time immemorial by the aforementioned Margaret of Lorraine, or regarding the case exempted by the decrees of His Holiness Urban [VIII], to be confirmed, in the case and for the purpose under consideration?" And the Eminent and Reverend Fathers, entrusted with the safeguarding of sacred rites, after hearing the report of the Eminent Promoter, and after hearing the Reverend Father Angelo Mariani, General Promoter of the Faith, after careful discussion and deliberation, decided to respond: "Affirmatively, that is, the judgment is to be confirmed." On the fifteenth of March, 1921. All of these matters were reported to His Holiness, Pope Benedict XV, in writing, by the Secretary of the Sacred Congregation of Rites, and His Holiness approved and confirmed the decision of the same Sacred Congregation, on the twentieth of the same month and year.

A. CARD. VICO, Prefect of the Sacred Congregations of Propaganda Fide and of Saint Rufina, Sacred Roman College.

L. © S. Alexander Verde, Secretary.

[*Latin ed. p. 234*]

Acts of the Apostolic See - Official Commentary II, Part 1. Regarding the Beatification and Canonization of the Servant of God, Mary Aikenhead, Foundress of the Institute of the Sisters of Charity in Ireland. This noble cause arises like the dawn and is a harbinger of that kingdom of justice and peace, which, being greatly and widely disturbed in human society, can be rightly and properly restored only in Christ, according to His law, when He said to His disciples: "A new commandment I give to you: That you love one another, as I have loved you, that you also may love one another. By this all men will know that you are my disciples, if you have love for one another" (John, XIII, 34-35). "And we must not doubt," as Saint Leo the Pope said, "that this voice pertains not only to the disciples of Christ, but to all the faithful, and to the entire Church, which universally hears its salvation" (Sermon 9 on the Forty Days). It seems that this woman,

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the subject of this cause, who, shining and burning with evangelical doctrine and charity, through herself and through the Institute of the Sisters of Charity which she founded, has rendered and continues to render excellent service to religion and to her country, fosters and prays for the Christian restoration of this kingdom. Born in Cork, a city in Ireland, on January 19, 1787, from the mixed marriage of David Aikenhead, of Scottish nationality, and of the Anglican religion, and of Mary, of the Stackpole family, who professed the Catholic faith, was the infant to whom the name Mary was given. This child was soon entrusted to the pious care of Mary Rorke, and under her care, in a suitable place and with Catholic rites, she was cleansed with the sacred baptism. Although the father, by agreement made at the marriage, had wished his children to be instructed and educated according to the Anglican religion, and strictly forbade any access to the Catholic sacraments, nevertheless, Mary, while living with the nurse until the age of six, was imbued with the mysteries of the Catholic Faith and the precepts of morals. In order to continue this education, when she had to return home, the same nurse accompanied her; and in the performance of this duty, she had the help of pious women, namely, the grandmother and the cohabiting aunt, O'Gorman. Therefore, Mary was able to attend church, hear the word of God, assist at the Sacrifice of the Mass, and at other sacred rites and prayers. From the Catholic...

[*Latin ed. p. 235*]

The Holy Congregation of Rites clearly demonstrated the girl's vehement resistance to her father's most beloved love and reverence; who, firmly addicted to heresy, did not allow her to oppose him in any way. Thus, the girl experienced a bitter inner struggle, which, nevertheless, with God's help, she overcame successfully. Mary, having heard the Gospel concerning the different fates of the rich man and the poor Lazarus, having received and eagerly read books from her aunt, having been taught about the true religion by teachers and priests, and having participated in the sacred sacrifice of the Mass, was deeply moved by all these things. Having renounced her father's errors, she resolved and determined to steadfastly follow the Catholic, Apostolic, Roman faith, of which it is written: "Where Peter is, there is the Church," and she solemnly professed this faith on June 6, 1802, before suitable and approved men who bore witness to it. On June 29 of the same year, she approached the Holy Communion, and on July 2, she was confirmed with sacred chrism by the Most Reverend Francis Moylan, Bishop of Cork. In the following year, her father, David, moved by the example of his wife's piety, and by her constant suffering, because he saw that he was to be separated from his beloved wife for all time because of their different religions, and with the help of divine grace and approaching death, had ordered a Catholic priest to be called, from whom, properly instructed in the true faith of Christ and the law, having rightly

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renounced heresy, and having been restored with the sacraments, he found rest in obedience to the Apostolic See, in the embrace of the Mother Church, and in the kiss of the Lord, in peace. Thus, Mary's industry, piety, diligence, and care for her younger brothers, her constant prayer and meditation, her daily recitation of the Rosary of Mary, and her frequent attendance at Holy Communion were evident. In assisting the poor, her charity shone forth: for, having joined pious women as her companions, namely, Lady Cecilia Lynch and later the wealthy and noble matron Anna Maria O'Brien, she visited, together with them, houses and hospitals for the sick, and orphanages for girls, in Dublin and Cork, from the year 1808 to the year 1812, providing food, clothing, medicine, and other assistance and comforts for the salvation of both body and soul, under the direction of the Most Reverend Francis Moylan, Bishop of Cork, the Most Reverend Florentius McCarthy, his coadjutor, and the Most Reverend Daniel Murray, who later became the Archbishop of Dublin; whom she also employed as advisors and leaders in preparing the way for the Lord to embrace life and religious perfection. In the year 1810, the Handmaid of God, a nun of the Order of Clarisses, attended the religious profession of Lady Cecilia Lynch. Then, the esteemed Most Reverend Daniel Murray revealed his intention to establish a house of women dedicated to charity, and, with the agreement of the Reverend Patrick Everard, he...

[*Latin ed. p. 236*]

£36 Acta Apostolicae Sedis - The official record. The Reverend Mother Mary, formerly of the Maynooth community, and subsequently Archbishop of Cassiliensis, adhering most fully to these counsels, together with her companion, Alice Walsh, petitioned in Eboracum [York], that they might be established in the religious life within the flourishing house of the English Ladies' Society there. For three years, under the direction of the mistress and Reverend Mother, they observed the rules of the religious family with commendable diligence and fervor. Meanwhile, the Servant of God, having implored heavenly assistance, undertook the care and labor of establishing a new society and of formulating its rules. Having returned to Hiberniam [Ireland], both Mary Aikenhead and her companion, Alice Walsh, first, on September 1st of the year 1815, and then, the following year, on December 9th, made their religious vows of poverty, chastity, and obedience before the Reverend Daniel Murray, who had obtained a decree from the Holy See for this purpose, and simultaneously bestowed upon the nascent society the name: "Sisters of Charity of Hibernia." After examining the rules of several institutions already approved, and rejecting those that were deemed less suitable to their intended purpose, after a long and fruitless search, in the year 1821, she found in the rules which Father Robert Salingerus, S.J., had diligently and prudently prepared over a period of three years, based on the Constitutions of that same Society.

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For these rules, as they perfectly expressed that form which she had long conceived in her mind, the Servant of God earnestly commended to the Sisters and her daughters. The first house of this society, at the suggestion of the Reverend Daniel Murray, was established in Dublini [Dublin], on North William Street, along with a refuge for girls in need, under the direction of the Servant of God. Subsequently, with increased support for the Sisters and the poor, several more houses, hospitals, and hospices were established, entrusted to the care of the Sisters, in cities and towns both in the island of Hibernia and in neighboring Angliae [England]. In these institutions, the sick, orphans, boys, and girls experienced the exceptional benefit and charity of the Sisters, under the guidance of their director, the Servant of God, who, with prudence, fortitude, and gentleness, overcame all obstacles of human envy and malice. She devoted all her efforts to ensuring that the needs, rights, and possessions, both temporal and spiritual, of the Sisters and the houses were attended to, whether through her presence or through correspondence, dealing with magistrates, with ecclesiastical authorities, and with the superiors of the houses. From the year 1831, she was afflicted by a grave and chronic illness, and was often compelled to rest in her room, in bed, or in a chair. As much as she could, she constantly pursued the well-being of her daughters, their duties, and their progress in virtue, with affection and effort. Amidst her sorrows and afflictions, Mary Aikenhead found great consolation and joy in the decrees by which Pope Gregory XVI, of blessed memory, definitively approved the rules of the Institute in the year 1833.

[*Latin ed. p. 237*]

7. The Holy Congregation of Rites, in the year 1836, benignly granted and decreed that the simple vows of the Sisters should have perpetual force. Finally, endowed with virtues, renowned for her piety, and especially devoted to Jesus Christ Crucified and to the most Holy Virgin Mary, suffering from a long-aggravating illness, strengthened by all the sacraments of the Church for the dying, she passed away among the Sisters and daughters who were most dear to her, on July 22nd of the year 1858, at the age of seventy-two, having devoted sixty-six years to religion, and forty-three years to leadership. The following day, the body of the Handmaid of God was carried from the house of the Sisters to the church in Donnybrook; and after solemn funeral rites were performed, she rests in the crypt of the cemetery, with a marble inscription placed on her tomb, in memory and praise of the deceased. The funeral ceremonies of Mary Aikenhead were equaled by witnesses in their solemnity and the gathering of the people, to those of Daniel O'Connell: both were honored because they were sons, friends, and benefactors of Ireland! Meanwhile, the fame of the sanctity of her life, her virtues, and her miracles, in general, spread throughout Ireland, England, Australia, and other regions, and has continued to in-

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crease daily until the present time, so that informative reports have been prepared with ordinary authority concerning her, and transmitted to the Holy Congregation of Rites in Rome. Now, having observed the proper order of law, and having also reviewed the writings of the Handmaid of God, if nothing prevents proceeding further, and everything is ready, at the urgent request of the Most Reverend Hugo Descufii, chaplain of the pontifical court, who has recently been appointed as the promoter of the cause, and who is the Canon of the Patriarchal Basilica of the Liberian Order and Apostolic Protonotary of the Sacred Roman Church, and with the attention of the petitions of certain Cardinals of the Holy Roman Church, and of many Archbishops and Bishops of Ireland, England, North and Central America, Asia, and Africa, and of other men of ecclesiastical or civil distinction, the undersigned Cardinal Anthony Vico, Bishop of Porto and Santa Rufina, as the Promoter or Relator of this cause, at the meetings of the Ordinary Congregation of the Holy Rites, convened on the date indicated at the Vatican, proposed the following question for discussion: Should a Commission for the introduction of the cause be appointed, in this case and for the purpose in question? And the Most Reverend and Illustrious Fathers, after the report of the same Cardinal Promoter, having heard the voice and the written opinion of the Reverend Father Angelo Mariani, General Promoter of the Faith, after diligent discussion and deliberation, decided to write: "A Commission for the introduction of the cause should be appointed, if it pleases the Most Holy." On March 15, 1921. Subsequently, these matters were reported to our Most Holy Lord Pope Benedict XV by the undersigned Secretary of the Holy Congregation of Rites, and His Holiness, approving the decision of the same Sacred Council,

[*Latin ed. p. 238*]

238 Acta Apostolicae Sedis - The official record indicates that the Commission for the introduction of the cause of the Servant of God, Mary Aikenhead, Foundress of the Institute of Sisters of Charity in Ireland, was signed by hand on the 20th day of the same month and year. [Signed] B. A. CARD. VICO, Prefect of the Congregation for the Eastern Churches, and of the Sacred Reliquaries of Portuensis and Rufinae, Sacred Roman Order. L. * S. Alexander Verde, Secretary.

SACRED CONGREGATION FOR THE EASTERN CHURCHES. DECREE.

By a brief apostolic decree, dated April 5, 1921, – Vazhapilly, Apostolic Vicar of Trichur, Reverend Father.

[*Latin ed. p. 239*]

Sacred Acts of the Penitentiary Tribunal. The Apostolic Penitentiary. A Doubt Regarding the Power to Absolve Reserved Penalties According to

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the Terms of the Bull *Cruciata* for Portugal. The Bishop of Egitaniensis proposed the following doubt: "By virtue of the Bull *Cruciata*, granted to the Portuguese nation on December 31, 1914, it is granted that all may be absolved in the forum of conscience by any confessor from all sins and from all penalties, whatever they may be, and even those specially reserved by law or by men, so that those thus absolved should not afterward be obliged to appeal to any other superior."

"It is asked whether such an indulgence, after the promulgation of the Code of Canon Law, confers the power to absolve even from penalties specially reserved to the Apostolic See?"

The Sacred Penitentiary, having maturely considered the matter, judged that the following response should be given: To the doubt, as proposed, the answer is negative; nevertheless, even in these cases, absolution can be requested and granted, all other things being equal, according to the prescription of canon 2254. This response, presented by the undersigned Cardinal Penitentiary Major in an audience on April 15, 1921, to His Holiness, Our Most Holy Lord Benedict, by the divine Providence, Pope XV, was deigned to be approved by His Holiness.

Given in Rome, in the Sacred Penitentiary, on the 21st day of the month of April, 1921.

O. CARD. GIORGI, Major Penitentiary.

L. S. F. Borgongini Duca, Secretary.

[*Latin ed. p. 240*]

§40. *Acta Apostolicae Sedis* - Official Commentary. SACRED ROMAN ROTA. Summons by edict. NULLITY OF MARRIAGE (SUARBZ-EDMUNDSON). On the 5th of April, 1921. Since it has been ascertained that Mr. George Edmundson, involved in this cause, cannot be found, we hereby summon him by this edict to appear on the 7th of July, 1921, at the tenth hour, at the seat of the Tribunal of the Sacred Rota (Rome, Palazzo Datario), before Us, to give testimony according to the questions to be proposed to him in the cause of nullity of marriage introduced by Mrs. Josepha Suarez before His Most Holy Tribunal. If he does not appear on the designated day and hour, he shall be declared contumacious, and in this cause, in his absence, proceedings shall continue to further stages. The ordinaries of the place, parish priests, priests, and all faithful who have knowledge of the domicile or place of residence of the aforementioned Mr., ought to take care, if and insofar as it is possible, that the party summoned be informed of this edictal citation. Franciscus Solieri, Prelate. From the Chancery of the Tribunal of the Sacred Rota, on the 13th of April, 1921. T. Tani, Notary.

[*Latin ed. p. 241*]

Most Holy Roman Rota Translation. TRIBUNAL OF THE HOLY RO-

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MAN ROTA, ROME. Citation by edict: BOGOTEN. NULLITY OF MARRIAGE (SUAREZ-EDMUNDSON). April 5, 1921. Since it is known that Mr. George Edmundson, defendant in this cause, cannot be found, We cite, by this present edict, the aforementioned defendant to appear in person before Us, at the seat of the Tribunal of the Holy Roman Rota (Rome, Palazzo della Dataria, Via della Dataria, number 94) on July 7, 1921, at 10 o'clock in the morning, to give testimony on the matters that will be put to him in the cause concerning the nullity of the marriage, instituted by Mrs. Josephine Suarez. If Mr. Edmundson does not appear on the day and at the hour indicated, he will be considered in contempt, and the process will proceed in his absence. The Ordinary of the place, and the faithful, having knowledge of the domicile or residence of the aforementioned defendant, must, insofar as possible, inform him of this citation. François Solieri, Prothonotary. Given at Rome, April 13, 1921. T. Tani, Notary. ACTA, volume XIII, number 6. - 6-5-1921. 17.

[*Latin ed. p. 242*]

242 Acta Apostolicae Sedis - Official Commentary of the DIARY OF THE ROMAN CURIA, Sacred Congregation of Rites, Tuesday, April 5, 1921, in the Apostolic Palace of the Vatican, with the presence of the Eminent and Reverend Lords Cardinals, and with the votes of the Reverend Prelates and the theological Consultors comprising the Sacred Congregation of Rites, a Preparatory Congregation was held to discuss the heroism of the virtues exercised by the Venerable Servant of God, Francesco from Camporosso, a lay professed of the Order of Friars Minor Capuchin. Tuesday, April 26, 1921, in the Apostolic Palace of the Vatican, before the august presence of the Holy Father, the General Congregation of the Sacred Rites was held, in which the Eminent and Reverend Lords Cardinals, the Reverend Prelates, and the theological Consultors, comprising the same, discussed and gave their votes on the doubt concerning the heroism of the virtues exercised by the Venerable Servant of God, Mary Michela of the Most Holy Sacrament, Foundress of the Institute of the Handmaids of the Most Holy Sacrament and of Charity, of Valencia.

SACRED CONGREGATION "FOR THE EASTERN CHURCH"

NOTICE OF COMPETITION

A competition is open at the Sacred Congregation "pro Ecclesia Orientali" for the provision of a position of a clerk. Priests who wish to participate in this competition must present their application, accompanied by the appropriate particulars and the "nihil obstat" from their respective Ordinary, to the Secretariat of the same Sacred Congregation, within one month from the date of this notice. A degree in Sacred Theology and in Canon Law is

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required for admission to said competition. Furthermore, it is within the power of the candidates to present those titles which may prove their suitability for the aforementioned office. The dates on which the competition will take place will be established in due course. For the information of priests who wish to participate, it is noted: 1) that the competition will consist of two written examinations, one in the Latin language, and the other in Italian.

[*Latin ed. p. 243*]

The "Roman Curia" diary states: 1) that the topics will be primarily focused on Moral Theology and Canon Law; 2) that particular consideration will be given to knowledge of foreign languages; 3) that the candidates must not exceed the age of 35 years. Rome, from the Sacred Congregation for the Oriental Church, April 18, 1921.

SECRETARY OF STATE

BY ORDER OF

With tickets from the Secretary of State, the Holy Father has deigned to appoint:

April 8, 12, 13, 15, 21, 27, 1921.

The Most Reverend Cardinal Theodoro Valfré di Bonzo, Member of the Sacred Congregation of the Rites.

Monsignor Francesco Morano, Prelate Referendary of the Supreme Tribunal of the Apostolic Signature.

The Most Reverend Cardinal Guglielmo Van Rossum, Protector of the Work of the Sanctuary of Patrasso.

The Most Reverend Cardinal Oreste Giorgi, Protector of the Congregation of the Sisters of the Nativity of Our Lady of the Third Regular Order of St. Francis, of Barcelona.

The Most Reverend Cardinal Augusto Silj, Pro-lector of the Sisters of the Pious Work of the Conception, of Ascoli Piceno.

Monsignor Giovanni Battista M. Menghini, Master of the Pontifical Ceremonies; the Reverend Father Arturo Vermeersch, of the Society of Jesus; the Reverend Father Andrea Jullien, of the Procurator of St. Sulpitius, Consultors of the Sacred Congregation of the Council.

[*Latin ed. p. 245*]

From the Roman Curia Diary, 245: HONORS. By a Brief of the Apostolic See, the Holy Father has deigned to bestow the following honors:

The Grand Cross of the Order of Saint Gregory the Great: April 3, 1921. To Mr. Emilio Reuter, President of the Government of Luxembourg.

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The Commander's Cross with Plaque of the Order of Saint Gregory the Great: April 3, 1921. To Mr. Augusto Lisch, General Director of Justice and Public Works in Luxembourg.

To Mr. Count Carlo De Germiny, of the Archdiocese of Paris.

The Knighthood of the Order of Saint Gregory the Great: March 30, 1921. To Mr. Alfonso N. Bourget, of the Diocese of Fall-River.

To Mr. Elia Sacazan, of the Melkite Diocese of Tyre.

To Mr. Carlo Erix, of the Archdiocese of Malines.

The Grand Cross of the Order of Saint Gregory the Great, civil class: April 8, 1921. To Mr. Baron Gastone Van de Werve et de Schilde, of the Archdiocese of Malines.

April 12, 1921. To Mr. Baron Enrico Delvaux de Fenffe, of the Diocese of Liegi.

The Grand Cross of the Order of Saint Gregory the Great, military class: April 3, 1921. To Mr. Gianfrancesco Colnet D'Huart, Marshal of the Court in Luxembourg.

The Commander's Cross of the Order of Saint Gregory the Great, civil class: February 22, 1921. To Mr. Engineer Dionisio Velasco y Castilla, of the Archdiocese of Havana.

March 15, 1921. To Mr. Count Emiliano Avogadro di Collobiano e Della Motta, of the Diocese of Biel.

March 29, 1921. To Mr. Giovanni Francesco Simeone Dugal, of the Archdiocese of Québec.

March 31, 1921. To Mr. Knight Giuseppe Alessandri, of Rome.

April 1, 1921. To Mr. Giuseppe Mercier, of the Archdiocese of Québec.

April 2, 1921. To Mr. Beniamino I. Bennet, of the same Archdiocese.

April 5, 1921. To Mr. Adolfo Seelisch, of the Archdiocese of Koln.

April 5, 1921. To Mr. Doctor Alfredo Eid, of the Melkite Diocese of Tyre.

[*Latin ed. p. 246*]

Acta Apostolicae Sedis - Official Commentary 246: The Order of Saint Gregory the Great, military class: April 3, 1921. To Mr. Captain Emilio Speller, aide-de-camp of the Court of Luxembourg. The Knighthood of the Order of Saint Gregory the Great, civil class: April 1, 8, 15, 16, 18, 21, 1921. To Mr. Giuseppe Narciso Miller, of the Archdiocese of Québec. To Mr. Carlo Achille Langlois, of the same Archdiocese. To Mr. Giuseppe Napoleone Gastonquai, of the same Archdiocese. To Mr. Francesco Giuseppe Ludovico M. van Waesberghe, of the Diocese of Breda. To Mr. Pietro Van der Putt, of the Diocese of Bois-le-Duc. To Mr. Gaspare Enrico Vroom, of the Archdiocese of Utrecht. To Mr. Pietro Sweens, of the Diocese of Bois-le-Duc. To Mr. Ludovico Giovanni Giuseppe Foissin, of the Archdiocese of Algiers. To Mr. Giuseppe Travaglio, of the Diocese of Fossano. To Mr. Pietro Domenico Chi-

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appella, of the same Diocese. The Knighthood of the Order of Saint Gregory the Great, military class: April 3, 1921. To Mr. Lieutenant Edmondo Miller, aide-de-camp of the Court of Luxembourg. The Order of Saint Sylvester the Pope, class of Commander: April 2, 8, 18, 1921. To Mr. Giuseppe Napolitano, of the Archdiocese of Naples. To Mr. Secondo Dutari Rodríguez, of the Diocese of Cordoba in the Republic of Argentina. To Mr. lad Allah Iacir, of Bethlehem. The Knighthood of the Order of Saint Sylvester the Pope: April 10, 16, 1921. To Mr. Giuseppe Malipiero, of the Diocese of Padua. To Mr. Advocate Paolo Lancellotti, of Rome.

[*Latin ed. p. 247*]

247 From the Diary of the Roman Curia, MAGGIORDOMATO DI SUA SANTITÀ (Office of His Holiness's Major Domo), by order of His Eminence, the Reverend Monsignor Major Domo, the Holy Father has deigned to appoint:

Extraordinary Secret Chamberlains:

April 5, 1921.

Monsignor Sante Peviani, of the diocese of Lodi.

Monsignor Raffaele Baralli, of the archdiocese of Lucca.

Monsignor Francesco Cancio, of the diocese of Portalegre (Portugal).

Monsignor Francesco Arturo Corvalho (Eastern India).

Monsignor Giuseppe Debevee, of the diocese of Lubiana.

Monsignor Giuseppe Dostal, of the same diocese.

Monsignor Nicodemo Cento, of the diocese of Gerace.

Monsignor Liberato Tosti, of Rome.

Monsignor Carlo Alessandro Leimbach, of the diocese of Fulda.

Monsignor Emilio Festädt, of the same diocese.

Monsignor Emilio Atzert, of the same diocese.

Monsignor Vittorio Thielemann, of the same diocese.

Monsignor Giuseppe Grivetti, of Rome.

Monsignor Vittorio Belleno, of the archdiocese of Genoa.

Monsignor Emmanuele Carrera Sanabria, of the archdiocese of Seville.

Extraordinary Secret Chamberlains with Sword and Mantle:

April 11, 1921.

Mr. Alfredo de' conti Lazzarini, of the diocese of Macerata.

Mr. Adolfo Wesmael, of the diocese of Namur.

Mr. Marquis Giovanni Siciliano di Rende, (Rome).

Honorary Chamberlains in Purple Vestments:

February 21, 1921.

Monsignor Jodocus Verdurmen, of the diocese of Breda.

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April 5, 1921.

Monsignor Emanuele Emiliano Dupraz (Switzerland).

April 6, 1921.

Monsignor A. lohn, of the archdiocese of Madras (Eastern India).

April 9, 1921.

Monsignor Augusto Ranieri, of the diocese of Porto e S. Rufina.

April 19, 1921.

Monsignor Fourier Bonnard, (Rome).

Honorary Chamberlains Outside the City:

November 12, 1920.

Monsignor Giovanni Simatović, of the archdiocese of Zagreb.

April, 1921.

Monsignor Pio Bianco, of the diocese of Lecce.

[*Latin ed. p. 248*]

248 Acta Apostolicae Sedis - Commentarium Officiale Cappellani Segreti d'onore di S. S.: 4 Aprilis 6, 1921. Mons. Giuseppe Frañzoni, ex dioecesi Casertae. Mons. Francesco Cersosimo, ex archidioecesi Conzae et Campagnae. Cappellanus d'onore extra Urbem di S. S.: 11 Aprilis 1921. Mons. Vincenzo Riezzo, ex dioecesi Lech.

NECROLOGIUM

8 Id. Aprilis 17, 23, 1921.

Mons. Pietro Berruti, episcopus Vigevani.

Mons. Guglielmo Giuseppe Walsh, archiepiscopus Dubliniensis.

Mons. Giorgio Enrico Kirstein, episcopus Mogontiacensis.

Mons. Willibrordo Benzler, archiepiscopus titularis Attaliae.

Mons. Enrico Gabriels, episcopus Ogdensburgensis.

[*Latin ed. p. 249*]

Number 7, June 1, 1921, Year XIII, Volume XIII. *ACTA APOSTOLICAE SEDIS*, Official Commentary. *ACTA BENEDICTI PP. XV*. Apostolic Constitutions. 1. OF THE VARSAVIENSIS DIVISION AND THE ERECTION OF A NEW DIOCESE. BENEDICT, SERVANT OF GOD, POPE, TO THE SERVANTS OF GOD PERPETUALLY.

"Christ the Lord, who called Himself the Good Shepherd, has always led the Pontiffs of Rome to diligently strive for the spiritual good of the Catholic flock. And since nothing is more conducive to this end than the proper distribution of dioceses throughout the Catholic world, Our Predecessors have labored to establish new dioceses in those places where, either because of the increase in the number of the faithful, or because the regions themselves are vast and extensive, a single Bishop could not

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adequately fulfill the duties entrusted to him. Now, since the archdiocese of VARSAVIENSIS is the most numerous in Catholics and extends over a very wide territory, it has been requested by the Apostolic See that certain parts of its territory be separated from it and erected into a new diocese. After considering these requests, and deeming it fitting for the better governance of the Christian faithful, We have decided to grant them. Therefore, with all that is necessary for the matter having been prepared, and with the necessary provisions having been made, as may be required for the benefit of those concerned, We decree and declare the following:"

[*Latin ed. p. 250*]

250 Acta Apostolicae Sedis - With the consent of all parties, and by these present letters, We, exercising the fullness of Our Apostolic power, detach and separate, for all time, from the archdiocese of Warsaw that portion which extends towards the west and borders the diocese of Włocławek, or Cassel, and which consists of three deaneries, namely Łódź, Łęczyca, and Kłodawa, and We erect it into a new diocese, to be called the "Łódź" diocese, and We establish its seat and episcopal cathedral in the city of Łódź, and for this reason, We raise it to the rank and dignity of an episcopal city, granting it all the privileges and rights with which other episcopal cities are commonly endowed. We raise the parish church of St. Stanislaus Kostka, located there, to the status and dignity of a cathedral, and We bestow upon it and upon its bishops, for the time being, the honors, insignia, favors, graces, privileges, and rights with which other cathedrals of the Church and their prelates are commonly endowed, or by legitimate custom. We constitute this cathedral church as a suffragan of the metropolitan Church of Warsaw, and We place its bishop, for the time being, under the jurisdiction of the metropolitan Archbishop of Warsaw. Furthermore, We command that with regard to the erection of a cathedral chapter, or a council of advisors, the institution of a diocesan seminary, the election of a capitular vicar in the event of a vacancy, the rights and obligations of the clergy and the faithful, and other matters of this kind, all that which the sacred canons prescribe be duly observed. We also command that all documents and records pertaining to this new diocese and its clergy and faithful be, as soon as it is possible, delivered from the chancery of the archdiocese of Warsaw to the chancery of the new diocese of Łódź, so that they may be preserved in its archives. Until this new diocese is provided with its own pastor, We entrust its administration to Our beloved son, Alexander, of the title of Saint Augustine, a priest of the Most Holy Roman Church, Cardinal Kakowski, who today, by Apostolic dispensation, is the Archbishop of Warsaw, as Apostolic Administrator, and We grant him all the faculties and rights that belong to this office. These present letters and all that they contain, even if any person, whether in their own interest or by presumption of their own interest, have not been heard, even if they

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are worthy of express, specific, or individual mention, shall never, at any time, be subject to the vice of surreptition, or prevarication, or nullity, or by reason of Our intention, or by any other substantial and unforeseen defect, be declared invalid, impugned, or called into question; but they shall be considered, as made with full knowledge and with the fullness of Our power.

[*Latin ed. p. 251*]

251 The acts of Pope Benedict XV, and those issued by him, are to be considered perpetually valid and efficacious, and to produce their full and complete effects, and they must be inviolably observed by all to whom they apply. And we declare and decree that if, concerning these matters, anything should happen, whether by some authority, knowingly or unknowingly, to attempt to alter them, they shall be entirely null and void. Notwithstanding the rules established in synodal, provincial, general, and universal councils, in special or general constitutions and ordinances of the Apostolic See, and in any other dispositions of our predecessors, the Roman Pontiffs, and all other contrary things whatsoever. However, we command that these letters, whether transcribed or printed, and signed by a public notary, and sealed with the seal of a person constituted in ecclesiastical dignity, shall have the very same validity as if these our letters were presented or shown. Therefore, no one shall be permitted to infringe or contradict what has been established in these our letters concerning division, erection, decree, mandate, and derogation. If anyone, with reckless audacity, should presume to attempt this, let him know that he will incur the wrath of the Almighty God, and of the blessed Peter and Paul, His Apostles. Given at Rome, at the Holy See of Peter, in the year of Our Lord nineteen hundred and twenty, on the tenth day of the month of December, in the seventh year of Our pontificate. ©● C. CARD. DE LAI, Bishop of Sabina. P. S. C. Gonsist. Secretary. CARD. GASPARRI, Secretary of State. Julius Campori, Apostolic Protonotary. Raphael Virili, LOGO ^ lead seal. Registered in the Apostolic Register, volume XXII, number 66. Apostolic Protonotary.

[*Latin ed. p. 252*]

25. Acta Apostolicae Sedis - Official Commentary II

"CONCERNING THE ERECTION OF A NEW ECCLESIASTICAL PROVINCE, THE NEW DIOCESE OF ALAJÜELA, AND THE NEW APOSTOLIC VICARIATE OF LIMÓN, BY THE HOLY SEE. BENEDICT, BISHOP, SERVANT OF THE SERVANTS OF GOD, FOR THE PERPETUAL REMEMBRANCE OF THE MATTER, Following in the footsteps of Our Predecessors, and diligently fulfilling the office of the Supreme Pontificate, which Divine Providence has entrusted to Us, We must, with all due care, endeavor to establish new dioceses or ecclesiastical provinces within the

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Catholic world, whenever it has seemed expedient in the Lord, either due to the increase in the number of the faithful in a particular region, or for other just reasons. Therefore, when the Most Reverend John Gaspar Stork, formerly Bishop of Saint Joseph of Costa Rica, requested that a new ecclesiastical province be established in the Republic of Costa Rica, and when these requests were supported by the vote of the Venerable Brother John Maren, Archbishop of Edessa and Apostolic Delegate in Central America, and when the erection of a new ecclesiastical province appeared to be very beneficial for the Catholic cause in that territory, We deemed it fitting to grant the requests. Wherefore, after having carefully considered the matter, and with the consent of those whose interests are involved, and with the advice of Our Venerable Brothers, the Cardinals of the Holy Roman Church, by the fullness of Our Apostolic authority, We decree the following: Firstly, We detach the current diocese of Saint Joseph of Costa Rica, encompassing the entire Republic of Costa Rica, from the metropolitan jurisdiction of the archiepiscopal Church of Guatemala, and We divide the entire territory belonging to that same diocese of Saint Joseph into three distinct parts; in the first part, which includes the three civil provinces commonly called San José, Cartago, and Heredia, the ancient diocese of Saint Joseph of Costa Rica will remain; and We, by Apostolic authority, permanently elevate and ennoble that diocese to the rank and dignity of a metropolitan see, together with its canonical Chapter, henceforth to be called the metropolitan see. In the second part, which includes the three civil provinces commonly called Alajuela, Puntarenas, and Guanacaste,

[*Latin ed. p. 253*]

We establish and declare erected a new diocese, to be called Alajuela. Finally, in the third part, we establish and declare erected an apostolic vicariate, to be called Limón, taking its name from the civil province which it encompasses. Therefore, the cities of Saint Joseph and Alajuela, from which the archdiocese and diocese derive their names, we raise to the rank of archiepiscopal and episcopal cities, respectively, and we attribute and assign to them all and singular rights, privileges, and prerogatives, by which other archiepiscopal and episcopal cities are lawfully possessed and enjoy. To the prelates of these Churches, we likewise grant the honors, insignia, favors, graces, privileges, and rights, by which the prelates of other archiepiscopal and episcopal Churches are lawfully possessed, either by common law or legitimate custom. Therefore, the prelates of Saint Joseph of Costa Rica will have the right to carry the cross before them and to use the pallium, after this has been duly requested and obtained from the Apostolic See in the sacred Consistory. As for the diocese of Alajuela, we command that all things pertaining to its governance and administration, to the institution and endowment of its cathedral chapter, or consultative

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college, and minor seminary, to the rights and obligations of the clergy and laity, and other matters of this kind, be observed, as the sacred canons prescribe in this matter. Furthermore, so that the prelates of the diocese of Alajuela may be able to maintain the dignity of their office, to provide for the expenses of the divine cult, for pious works, and for other necessities, we assign and attribute to their endowment a tax, which is called the "episcopal fourth," commonly known as tithes, customary alms, and other offerings of the faithful. Moreover, we encourage the faithful, for whose benefit this diocese has been established, to provide, with the civil authority preceding, the support necessary for the sustenance and dignity of the sacred prelate. We also desire that two chosen young men of this new diocese, outstanding in piety and talent, be sent, without interruption, to the Pontifical College of the Holy Spirit in Rome, to be maintained at the expense of the diocese, as soon as it is possible. As for the apostolic vicariate of Limón, we command that it be subject to the dependence and jurisdiction of the Holy Congregation for the Propagation of the Faith, as is fitting, and we also decree that both the diocese of Alajuela and the apostolic vicariate of Limón shall be suffragan to the metropolitan Church of Saint Joseph of Costa Rica, in all matters pertaining to common law.

[*Latin ed. p. 254*]

254 Acta Apostolicae Sedis - Official Commentary. Furthermore, We reserve for Ourselves and for the Apostolic See the faculty freely to initiate a new division within this ecclesiastical province, whenever it shall have seemed opportune to do so in the Lord. Finally, in order to ensure the proper administration of the new Diocese of Alajuela and the Apostolic Vicariate of Limón, We decree that all documents, rights, and acts pertaining to the aforementioned diocese and apostolic vicariate, as well as to their clergy and faithful, shall be transmitted, as soon as it can be done, from the chancery of the Archdiocese of Saint Joseph of Costa Rica, respectively, to the chancelleries of the Diocese of Alajuela and the Apostolic Vicariate of Limón, so that they may be religiously preserved in their own archives. These present Letters and whatever is contained therein shall never, at any time, be deemed subject to the vice of surreptition, or fraud, or nullity, or of Our intention, or by any other substantial and unforeseen defect, to be noted, impugned, or brought into controversy; but rather, they shall always be considered valid and effective, as having been made and issued with full knowledge and authority, and shall have and obtain their full and complete effects, and shall be inviolably observed by all to whom they pertain, and if, contrary to this, anything should happen, knowingly or unknowingly, by any authority, We will and decree that it shall be entirely void and of no effect. Therefore, having established the foregoing, We entrust the execution of all these matters to the venerable brother John Marenco, Archbishop titular of Edessa, in Central America, Apostolic Delegate, granting him the

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necessary and appropriate faculties, including the power to delegate, to any person holding ecclesiastical office, for the purpose in question, and to definitively pronounce upon any difficulty or opposition that may arise in the execution thereof, and We also impose upon him the obligation to transmit to the Sacred Congregation of the Consistory, within six months, counted from the date of these present Letters, an authentic copy of the completed execution. Notwithstanding, to the extent that it may be necessary, the rules contained in synodal, provincial, and universal councils, special or general constitutions and ordinances Apostolic, and any other dispositions of Our predecessors, the Roman Pontiffs, and all other contrary provisions whatsoever, are suspended. We wish that a transcript of these Letters, even if printed, be accompanied by the endorsement of a public notary, and be secured with the seal of someone holding ecclesiastical office, so that, in judgment and outside of it, the same faith be given to them as would be given to them if they were presented or shown in their original form.

[*Latin ed. p. 255*]

255. Acts of Pope Benedict XV. To no one, therefore, is it permitted to infringe upon, or, with reckless audacity, to contradict, those things which have been established by these Our Letters concerning division, elevation, erection, subjection, decree, commission, mandate, derogation, and Our will. But if anyone should presume to attempt this, let him know that he will incur the wrath of Almighty God, and of the blessed Peter and Paul, His Apostles. Given at Rome, near the blessed Peter, in the year of Our Lord nineteen hundred and twenty-one, on the sixteenth day of the month of February, in the seventh year of Our Pontificate.

% C. CARD. DE LAI, Bishop of Sabina.

S. C. Consist. Secretarius.

O. CARD. CAGIANO, S. R. E.

Cancellarius.

Iulius Campori, Apostolic Prothonotary.

Leopoldus Capitani, Substitute Registrar, by special delegation.

Loco >$i plumbi Reg. in Cane. Ap., vol. XXII, n. 32.

III. CAIETANA AND VERULANA.

CONCERNING DIVISION AND AGGREGATION.

BENEDICT, BISHOP, SERVANT OF THE SERVANTS OF GOD,

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FOR THE PERPETUAL MEMORY OF THE APOSTOLIC SEE,

It has always been the concern of the Apostolic See, for the better governance and benefit of the Christian faithful, to innovate or better arrange certain boundaries of dioceses, as it has seemed best to do in the Lord, considering the circumstances of the places and other circumstances.

Now, since the town of Valliscursa, formerly belonging to the Diocese of Fundani, and which, in the past century, having been suppressed, was joined to Caietana, has repeatedly requested to be separated from it and united to some diocese in the civil province of Rome, because the town itself is located in that province, and its requests have been supported by just and weighty reasons, We, having heard those who have an interest, and having carefully considered all things, by the deliberate judgment of Our Venerable Brothers, the Cardinals of the Sacred Consistory, and by the fullness of Apostolic power, grant what is necessary, so that it may be done.

[*Latin ed. p. 256*]

256 Acta Apostolicae Sedis - We, considering the matter to be of importance, and with the consent of all, decree that the town of Valliscursa be separated from the archdiocese of Caietana and be assigned to and incorporated into the neighboring diocese of Verula, together with all the rights and obligations pertaining to that diocese. Furthermore, that which We have decreed in these Letters, by Our Apostolic authority, may not, at any time, be infringed upon, or contradicted, or in any way opposed by any person. If anyone, may God prevent it, should presume to attempt this, let him know that he will incur the penalties prescribed by the sacred canons against those who obstruct the exercise of ecclesiastical jurisdiction. To these matters, We entrust Our beloved son Anselm Gécere, the present Vicarius Capitularis of the archdiocese of Caietana, and We grant him the necessary faculties for this undertaking, including the power to delegate another man of ecclesiastical standing, and to definitively pronounce judgment on any difficulty or opposition that may arise, with the obligation to immediately send to the same Sacred Congregation Consistorial an authentic copy of the completed execution. Finally, We decree that these present Letters shall be valid, notwithstanding any contrary provisions, even those deserving of special and explicit mention. Given at Rome, near the blessed Peter, in the year of Our Lord nineteen hundred and twenty-one, on the twenty-first day of the month of March, in the seventh year of Our Pontificate.

% C. CARD. DE LAI, Episc. Sabinen.

S. C. Consist. Secretarius.

O. CARD. CAGIANO S. B. B.

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Cancellarius.
Iulius Cam pori, Raphael Virili,
Protonotarius Apostolicus.
Protonotarius Apostolicus.
Loco >ït Plumbi.
Reg. in Cane. Ap., vol. XXII, n. 52.

EPISTOLA AD MICHAELEM S. R. E. CARD. LOGUE, ARCHIEPISCOPUM ARMACHANUM:

DE NECES-* SITATE ET RATIONE PACIS INTRA FINES HIBERNIAE RECONCILIANDAE.

Beloved son, greetings and Apostolic blessing. — From the moment that Europe was aflame with war, and We were brought to this Chair of Peter, by the secret counsel of God, you know that We, mindful of Our apostolic office, have, with all Our strength, striven, as far as We could, to...

[*Latin ed. p. 257*]

The acts of Pope Benedict XV, page 257, speak of the great and numerous evils from which we suffer, and of the bitter conflict that has arisen, and of our desire to restore peace among men. If we have left nothing undone to restore peace, we lament that our exhortations have fallen on deaf ears, not for the first time. But, as we have said so often, no states, either at home or abroad, will ever enjoy lasting tranquility, unless they return to the Christian principles which they have abandoned, and to those which the Church has handed down. In the meantime, we are deeply grieved when we consider that many peoples are still suffering from the miseries that have followed the war. Although arms are almost everywhere silent, yet, due to the extreme scarcity of things necessary for life, many of all sexes and ages, and the innocent, are perishing; and moreover, even in those nations that have emerged victorious from the conflict, there are signs of anxiety and distress, which should cause every good person to fear for the future. In this, however, we find some consolation, that we have been able to provide assistance to the poor peoples, from the funds that have been so generously sent to us from all sides. But while we are grieved for the sake of almost all nations, we are most concerned about the condition of Ireland, which, despite its ancient faith and devotion to the Apostolic See, is today suffering from the enormities and atrocities of violence. It is certainly not to be doubted that such grievous events are largely due to the recent war, and that the desired results have not been achieved for the people, nor have the fruits of peace appeared which each people had promised themselves. Furthermore, in the public strife that is taking place among

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you, the Apostolic See, as in other cases of the same kind, has decided to strive for the good of both sides, as it has done before, according to its wisdom; nevertheless, we are not prevented from earnestly desiring and imploring, and even urging, both opposing sides to cease this strife as soon as possible, so that the great flame of hatred may give way to a lasting peace and a sincere reconciliation of hearts. For we do not see how the most bitter conflict can benefit either side, when possessions and estates are terribly and shamefully devastated, cities are plundered, fields are burned, no sacred place or person is spared, and both sides are fighting to the point of destruction, often of the helpless and of women and children. Therefore, mindful of our apostolic office, and moved by that charity which embraces all men, we exhort the English and the Irish to be willing to consider with an even hand whether it is time to cease using force and to negotiate a settlement. We believe it would be appropriate if, as is fitting for eminent and most learned men, and experts in civil affairs, they were to examine—

[*Latin ed. p. 258*]

258 Acta Apostolicae Sedis - Official Commentary: that effect may be produced: that is, that the question be referred to a Council chosen from among all the people of Hibernia, for deliberation; which Council, having after some time declared its opinion, men of both parties, with due authority, shall meet together, and, after proposing their reasons and judgments to one another, shall establish something by mutual consent, with a sincere desire for reconciliation and peace, to resolve the matter. In the meantime, we have received with the greatest pleasure that you, our beloved son, moved by the incentives of charity, which admit of no delay and command, have diligently taken care to establish, setting aside all differences of opinion and parties, an association, now called the "White Cross," for the purpose of assisting the needy; and we are pleased to learn that it collects funds to help those who have been brought into distress by devastation and acts of violence. We are equally pleased that many other men, although differing in religion and in public affairs, have agreed with you in this admirable conspiracy of love, and that a large number of people, not only from Hibernia, but also from other nations, have been drawn to your common undertaking with remarkable zeal. To those, and to all others who have contributed to this most holy work of charity, either with their own property or with money, we, while praying to the Lord that He may grant them all good things, wish to testify that we are fulfilling the paternal will of God towards your people, who are so miserable, and we desire that two million Italian lire, a sum which we believe will alleviate their distress somewhat, be given to you, our beloved son. And turning our eyes to heaven, we implore Almighty God, who allows no tears of His miserable children to remain without consolation, that peace may at last shine upon you. As a sign of this hope, and as a testimony of our paternal charity, we

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impart, with all our heart, the apostolic blessing to you, our beloved son, and to the entire flock entrusted to you. Given at Rome, near the blessed Peter, on the twenty-seventh day of April, in the year 1921, in the seventh year of Our Pontificate. BENEDICT XV.

[*Latin ed. p. 259*]

SACRED CONGREGATION OF THE CONSISTORY

ACTS OF THE SACRED CONGREGATIONS

SACRED CONGREGATION OF THE CONSISTORY

RESOLUTION CONCERNING THE PRIVILEGE OF ORDINING WITHOUT DISPENSING LETTERS, GRANTED TO CERTAIN SEMINARIES OR ECCLESIASTICAL COLLEGES.

Since certain ecclesiastical colleges or seminaries, which receive students from different regions, had previously been granted the privilege of promoting students to the orders without dispensing letters from their Ordinaries, provided only with the consent of the Superiors of the college itself, or with the permission of the Cardinal Protector of the college and the consent of the Rector, or even with testimonial letters from the Rector, it was inquired whether, in the present circumstances, with the changes of times and places and the promulgation of the Code of Canon Law, these aforementioned privileges still remained in force.

The matter, concerning the mandate of Our Most Holy Lord, having been brought before the Sacred Congregation of the Consistory, the Eminent Fathers, in a plenary session on January 8th of this year, having considered all things, judged: that the aforementioned privilege ought to cease, now that the reasons for which it was granted have ceased, and that the common law ought to be restored, with the exception, however, of the right of the college of the Sacred Congregation of Propaganda Fide, granted by Pope Urban VIII by the Brief *Ad uberes*, dated May 18, 1638, and of other seminaries or colleges for missions, which depend on the Sacred Congregation of Propaganda Fide.

Our Most Holy Lord, Pope Benedict XV, in an audience on November 5, 1920, approved and confirmed this resolution, and ordered that it be made public, to the extent that anything contrary may be disregarded.

Given at Rome, from the offices of the Sacred Congregation of the Consistory, on November 6, 1920.

† C. CARD. DE L A I, Bishop of Sabina, Secretary.

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L. gii S. Aloisius Sincero, Assistant.

[*Latin ed. p. 260*]

MO Acta Apostolicae Sedis - Official Commentary II

PROVISIONS REGARDING CHURCHES

His Holiness, Pope Benedict XV, following the decrees of the Sacred Congregation of the Consistory, has provided for the following churches with their proper pastors, as follows:

March 18, 1921. — He appointed the Reverend Father John Iacono as the Prelate of the Cathedral Church of Caltanissetta, formerly Bishop of Melphi and Luve.

April 7. — He appointed the Reverend Father Francis Vazhapilly, Apostolic Vicar of Trichur, as the Prelate of the titular episcopal Church of Philadelphia.

April 11. — He appointed the Reverend Father Vincent Tymieniecki, formerly pastor of the parish church of St. Stanislaus Kostka in the city of Lodz, as the Prelate of the newly erected Cathedral Church of Lodz.

April 13. — He appointed the Reverend Father Jacob Carabelli, formerly Apostolic Administrator of the same archdiocese, as the Prelate of the Metropolitan Church of Syracuse.

April 19. — He appointed the Reverend Father Achilles Ratti, Apostolic Nuncio in Poland, as the Prelate of the titular archiepiscopal Church of Adana, formerly the titular Archbishop of Naupactus.

April 21. — He appointed the Reverend Father Paschal Berardi, formerly Bishop of Ruvo and Bitonto, as the Prelate of the Cathedral archiepiscopal Church of Caieta.

April 23. — He appointed the Reverend Father Rudolph Bornewasser, Prelate of the collegiate chapter of Aix-la-Chapelle, as the Prelate of the titular episcopal Church of Bitonto, whom he designated as an Auxiliary to His Eminence Cardinal Charles Joseph Schulte, Archbishop of Cologne.

April 28. — He appointed the Reverend Father John Raffi, honorary chamberlain of His Holiness, as the Prelate of the Cathedral Church of Brixen.

April 30. — He appointed the Reverend Father Frederick Tedeschini, Apostolic Nuncio to the Most Serene King of the Catholics of Spain, as the Prelate of the titular archiepiscopal Church of Naupactus.

May 19. — He appointed the Reverend Father Robert Vicentini, Apostolic Delegate in Holland, as the Prelate of the titular archiepiscopal Church

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of Helenopolis.

[*Latin ed. p. 261*]

The Most Holy Congregation of the Consistory, III, has made the following nominations:

Our Most Holy Father Benedict, Pope XV, having been pleased to nominate, according to the decrees of the Holy Congregation of the Consistory:

May 19, 1921.

— Reverend Father Aloysius Zaffarami, Bishop of Tuder, as Apostolic Administrator of the diocese of Interamna;

— Reverend Father Francis M. Berti, Bishop of Ameria, as Apostolic Administrator of the diocese of Narni.

IV. APPOINTMENT OF THE ORDINARY FOR APPEALS AND THE METROPOLITAN FOR THE PROVINCIAL COUNCIL.

In accordance with canon 1594, § 2, of the Code of Canon Law, for appeals, and in accordance with canon 285 of the same Code, for the Provincial Council, the Most Reverend Bishop of Monaco, immediately subject to the Apostolic See, has designated the Archbishop of Aix.

This designation has been approved by Our Most Holy Father Benedict, Pope XV.

Rome, from the offices of the Most Holy Congregation of the Consistory, on May 6, 1921.

[*Latin ed. p. 262*]

Acta Apostolicae Sedis - Official Commentary of the SACRED CONGREGATION OF THE COUNCIL OF PADERBORN. COMPETENCE. On December 11, 1920, the Most Reverend Ordinary of Paderborn, H. S. G., proposed the following question:

"In the various dioceses of my extensive region, diverse customs prevailed regarding the distribution of places, or *scamna*, for the faithful in churches. In some places, these seats were attached to certain houses of the inhabitants, were inherited, and brought in money; elsewhere, they were rented at a price. This practice, which is intended to benefit the poverty of the churches, is still maintained in some communities. In a few churches as well, in addition to patrons, certain persons or families of greater dignity, rank, or wealth held more honored seats, and these, contrary to the sacred canons, were even located in the presbyteries of the churches. Disputes, quarrels, and dissensions arose repeatedly, both among the possessors of the seats, and between the privileged on the one hand, and the pastors of the churches on the other. To remove these from the midst, my predecessors worked diligently, and I myself, when a new church is built, strive above all to ensure that, with all privileges abolished and private seats removed, all places in the church are open to all Christians. These

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arrangements (can. 1263 § 3) are generally accepted; however, rarely does one or two individuals request that a particular or more honored seat be restored to them in the new church.

To resolve such and other cases concerning private seats, the faithful often turn to a civil judge, who decides according to the law of the Prussian General Landrecht; this law is in all respects in conformity with canon law. The supreme civil courts unanimously uphold the right of the Ordinary to, at his prudent discretion, order that private seats in churches be transferred from one place to another, or removed altogether; but in this case, the possessors of the seats can only request that something be paid to them by the church for the resulting damage. This centuries-old custom of appealing to civil judges in these matters, which are more properly..."

[*Latin ed. p. 263*]

To the Most Holy Congregation of the Council, 263: "Regarding matters which you say pertain to mixed jurisdictions, and which are connected to spiritual affairs, I wish to maintain, according to canon 5, that I may avert the hatreds that might arise from them, by appealing to my ecclesiastical judges. However, lest I seem to diminish the authority of the Church, I inquire whether that custom can be approved, or at least tolerated, especially since certain litigants, having been ordained by me and given administrative duties, have expressly appealed to my ecclesiastical court. Wherefore, that Your Holiness may graciously resolve my doubt, I most humbly beseech you."

I. Regarding the reasons for maintaining the custom in question, the following points are presented in law and in fact.

SYNOPSIS OF THE ARGUMENT.

A) In Fact. The Diocese of Paderborn, established at the end of the eighth century, and greatly expanded by the Bull *De salute animarum* in the year 1821, now extends through two provinces, namely Westphalia and Saxony. Before that so-called "secularization" in the year 1803, which abolished the ancient dioceses and episcopal principalities, various customs prevailed in the different provinces now united in the Diocese of Paderborn, concerning the right of the faithful to seats in churches. However, the Ordinaries in those places strove to implement the following principles: 1) that women should be seated separately from men; 2) that seats should not be sold by the parish priest or otherwise transferred to another owner; 3) that the right to specific seats or to certain places in the church should be assigned to individual houses or properties. In the year 1803, or shortly thereafter, the territory of the present Diocese of Paderborn was occupied by the Prussian King, and immediately after the occupation, the "Common Law of Prussia" (*Preussisches Allgemeines Landrecht*) was introduced.

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This law did not abolish the customs of the provinces regarding ecclesiastical matters, but, since in no province did a certain custom prevail in all parishes, this code obtained everywhere, obligating all inhabitants, even Catholics, and still obligates and will obligate them. For the introductory article 133 of the new Civil Code of Germany (*Das Bürgerliche Gesetzbuch des Deutschen Reiches*) expressly preserves the validity of this Common Law with regard to seats in churches. The individual provisions of this law do not entirely conform to canon law, nor do they so contradict it as to be intolerable. Indeed, the practice of the civil courts, which judge according to that law, sufficiently protects ecclesiastical authority, so that canon 1263 § 3 of the Code of Canon Law applies. Against the precepts issued by a competent ecclesiastical authority, there is neither a right of appeal in possessory matters nor in

[*Latin ed. p. 264*]

264 Acta Apostolicae Sedis - The official commentary grants the petition. If the Ordinary orders that a particular seat, which is used for worship, for example, processions, be transferred from its place to another, or be completely removed from the church, either because of the narrowness of the place or because of changed conditions of a previous concession, the civil judge does not admit the case against such ordinances, declaring that only ecclesiastical authority has the right to issue mandates for the proper ordering of divine worship in churches. This judicial practice is evident from many judgments, both from the "Tribunal for Deciding Matters of Competence" (Gerischtshof zur Entscheidung der Kompetenzkonflikte), and from the modern supreme "Tribunal in Germania" (Reichsgericht). In other cases, however, civil judges admit all cases concerning seats, if the faithful are litigating among themselves, or if the faithful bring a lawsuit against the parish priest or the building council. The faithful, without any anxiety of conscience, have appealed to and still appeal to the civil judge in these matters.

B) In law. - Canon 5 clearly deals with the retention of customs: customs, whether universally or locally, which are expressly disapproved of by the canons, must be corrected and abolished as corruptions of the law. However, for prudent reasons, the Ordinary of the place may allow them to continue under certain conditions, namely, if they are ancient and well-established, and furthermore, if they cannot be easily removed, considering the circumstances of the place and the people.

First, it must be determined whether the custom in question is ancient or well-established. It has already been stated above that the custom originated around the year 1803 or shortly thereafter, with the introduction of the Common Law of the Prussian State. Since the aforementioned law contained special provisions regarding seats in churches, civil courts brought the cases arising therefrom before their own forum, and the faithful turned

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to civil judges to contest these disputes. Therefore, the custom appears to be one that can be considered ancient.

Secondly, it must be determined whether that custom should be called a corruption of the law, or at least whether it can be easily removed. It cannot be doubted that the Church has the right to judge matters concerning places or seats in churches. However, this ecclesiastical matter is connected with certain civil rights. The inhabitants of the parishes retain their own seats, received by inheritance from their ancestors who endowed the church; or the owners of particular seats still bear all, or at least most, of the burdens of the parish. The right to certain places or to particular seats is attached to houses, properties, and inheritances, and is considered as belonging to them; others have acquired the right to a particular seat according to custom, by paying a certain sum of money. The parish itself sometimes rents out seats publicly, in order to be able to cover necessary expenses. Therefore, the Church, reserving its right, is free to issue all precepts for the proper ordering of divine worship, even with regard to seats.

[*Latin ed. p. 265*]

I. The Congregation of Councils (S. Congregatio Concilii) 265; regarding other matters, you might say that these are cases of mixed jurisdiction; nor does any native law of the Church impede this practice. Therefore, the custom prevailing in the diocese of Paderborn cannot be called a corruption of the law. Nor can it be easily removed. The recently promulgated Constitution of Germany grants all ecclesiastical bodies the right to regulate their own affairs, but only within the limits assigned to them for all matters (art. 137). Nor does the law concerning the establishment of courts in Germany (Gerichtsverfassungsgesetz des Deutschen Reiches) of January 27, 1877, § 16, admit of any forum other than the civil forum. Therefore, the Ordinary of Paderborn cannot prohibit the faithful from seeking a civil judge in the aforementioned cases; but even if the faithful were to voluntarily seek the ecclesiastical forum, it would indeed be more prudent to refer the matter to the civil forum, lest ecclesiastical authority easily incur hatred from such decisions. Therefore, the Ordinary should use the law granted to him in the Code (can. 1263) in the administrative process; but whenever the faithful do not agree with such administration and wish to litigate before a judge, they seem free, indeed it is more advisable, to turn to the civil judge.

II. On the contrary, more could be deduced from this. Firstly, there is no doubt that the Code clearly distinguishes between matters connected with spiritual affairs, concerning which, in n. 1, § 1, can. 1553, it is stated that the Church has exclusive jurisdiction to hear cases, and cases of mixed jurisdiction, "in which both the Church and civil authority are equally competent," according to § 2 of the same canon. However, since there is no new definition or description of cases concerning matters connected with spiritual affairs in the Code, it still adheres to the old doctrine, according to

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which it seems least ambiguous that cases concerning the law of benches in sacred buildings are to be considered cases of temporal matters, but with spiritual, i.e., divine worship, connections. Whether the question concerns a privilege granted, or a right acquired, or a contract, e.g., a lease, it always concerns a right exercised over some part of a sacred building, within its limits, and with the same spiritual purpose, i.e., the performance of worship, in view. Therefore, the Code also explicitly prohibits laypersons, even if they are particularly dedicated to caring for the church building, "from interfering in any way in all matters pertaining to the spiritual ministry, especially... 4) in the material arrangement... of benches, pews... and other things which pertain to the exercise of religious worship" (can. 1184). Furthermore, the granting of such a right in can. 1263 is entirely reserved to the authority of the local Ordinary, without whose express consent no member of the faithful may have a place in the church for himself and for his...

[*Latin ed. p. 266*]

266 The Apostolic See's Commentary is official and reserved; indeed, a concession once granted, for a just cause, can be revoked by the same Ordinary, notwithstanding any lapse of time. Consequently, any dispute concerning the exercise, scope, or cessation of a concession made, by its very nature, remains reserved to that Ordinary, as it pertains to a matter of spiritual concern. But even conceding, for the sake of argument, the existence of a mixed jurisdiction, and therefore that both ecclesiastical and civil authority are equally competent in the case, it is clear that at least the prescription of canon 1553 § 2 must be observed, namely, "that in these cases, there must be a place for prevention." Therefore, if the faithful spontaneously appeal to the ecclesiastical tribunal, which (speaking hypothetically) is equally competent, it would be unjust to refer the matter to the civil tribunal, because the ecclesiastical judge cannot, in truth, "refuse to one legitimately requesting his ministry" (canon 1608). It would be even more intolerable in the case expressly mentioned in the Bishop's instructions, "when some of the litigants, having received administrative decisions from my ordination, expressly appeal to my ecclesiastical judgment." Indeed, while the faithful who appeal to civil tribunals against such administrative decrees are severely punished (canon 2334 n. 2), it would certainly cause scandal if the ecclesiastical judge himself were to appeal to the civil tribunal against his own decrees. It is true that the Apostolic See has rarely permitted, either through tacit tolerance or through explicit concession, e.g., in agreements concluded with civil society, that certain cases pertaining to the ecclesiastical forum, within certain and defined limits, be handled by the civil forum, not excluding those concerning the right of patronage (cf. Wernz, Ius decr., V, p. 222 s.; Raccolta di Concordati, 1919, p. 766, 768, 824, 856, 883): that is, it has permitted, with regard to the right of patronage, that civil tribunals act on the civil rights and obligations connected to it, or

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on disputes concerning succession in the right of presentation. However, as for the rights concerning the placement of ornaments in churches, there is no explicit concession on this matter, but only, with regard to certain places in Germany, a certain tacit tolerance on the part of the Ordinaries, after civil laws have prescribed it, namely, that civil judges, in those cases in which they are competent to decide on matters concerning the right of patronage, should, due to certain analogies, judge on this matter as well – as Ferraris rightly teaches (s. v. Ecclesia, art. V, n. 26). But, first of all, it does not fully appear that there is a centuries-old custom that is assumed to support the norm of canon 5. Indeed, it is only established that, for a hundred years and more, the *Ius commune Terrae Borussicae* (Prussian General Land Law), of which we spoke above, has been in force in the Paderborn diocese; it is not established whether...

[*Latin ed. p. 267*]

Since, from that time, namely from the beginning of the century, all the faithful, especially the healthier part among them, have freely become accustomed to bringing causes concerning which we are speaking before lay tribunals; and, moreover, whether in the case in question the consent of the competent ecclesiastical Superior has intervened (not merely a prudent dissimulation), from which alone the legal force of custom depends. It does not help that it is alleged that the fundamental law of the Empire, dated January 27, 1877, § 16, established that "no exception shall be made to the tribunals; and no one shall be permitted to withdraw from the jurisdiction of his competent judge." For it is not the case that the ecclesiastical tribunals have been abolished with regard to causes in which they have jurisdiction. Although, if someone has acted unjustly, even in the matter of which we are speaking, it is permissible to suffer the injustice, it is not permissible to consent to it. Furthermore, even where the laws of the Church manifestly attempt to deprive the same [Church] of all true jurisdiction, they nevertheless achieve and effect that, if the parties freely appeal to the ecclesiastical authority, the judgment of this authority, even if pronounced in a purely civil matter, cannot be considered a legitimate judgment (cf. Kaas, *Die geistl. Gerichtsbarkeit der kath. Kirche in Preussen*, 1916, II, 281; Harburger, *Das privilegium fori im deutschen Recht*, 1915, p. 55 ss.). Much less does the principle of utility, as alleged in the aforementioned opinion, serve to prevent the hatred and resentment that are easily aroused by decisions rendered in such matters: for this principle is too general and can easily be turned against any legitimate jurisdiction. For no judgment is completed where one party does not feel aggrieved; and to this grievance, a prompt remedy is provided by legitimate appeal or recourse. These things duly considered, and also noting that it is extremely important that the Church, as far as possible, preserve its freedom and independence, especially since, in this case, the new Constitution of the German Empire,

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Article 137, generally recognizes that every ecclesiastical society has "the right to regulate and administer its own affairs, independently, within the boundaries only of the 'common' law," it seems that the proposal, in this case, should be rejected with a negative response. Therefore, etc. RESOLUTION. - The Sacred Congregation of the Council, in the plenary meetings of the Most Reverend Fathers, held on December 10, 1920, in the Vatican Palace, having carefully considered all matters concerning the expostulation of the Ordinary of Paderborn, decided to respond as follows: "It cannot be tolerated that, if the parties freely appeal to the Ordinary, the matter be remanded to the lay tribunal."

[*Latin ed. p. 268*]

268 Acta Apostolicae Sedis - Official Commentary: "Especially if the matter concerns a dispute brought against an Ordinary's decree." It is necessary that the custom, as in this case, be removed. Having considered the aforementioned matters, His Most Holy Lordship Benedict, Divine Providence, Pope XV, granted an audience to the following Secretary on the subsequent day, and His Holiness deigned to approve and confirm the resolution given. I. MORI, Secretary. SACRED CONGREGATION FOR THE PROPAGATION OF THE FAITH. By the decree of this Sacred Congregation for the Propagation of the Faith, His Most Holy Lordship Benedict, Pope XV, appointed: March 17, 1921. – The Apostolic Administrator of the vicariate of Finland, the Reverend Michael John Buckx, of the Congregation of the Most Sacred Heart of Jesus. SACRED CONGREGATION FOR THE EASTERN CHURCH. NOTICE. The Reverend Cyprian Chéhab, a monk of the Greco-Melkite rite, of the Order of Saint Basil the Great, of the Soarita Congregation, has been traveling through various cities of Galliae, collecting alms, claiming to be a Bishop. Since he, without the consent of the Most Reverend Demetrius Cadi, Patriarch of Alexandria of the Greco-Melkite Church, and without the knowledge of this Sacred Congregation, has left his monastery, we hereby declare that the Reverend Cyprian Chéhab is suspended, and has no authority to collect alms; and we command the Ordinary authorities of the places to which he intends to travel, to order him to return to his monastery as soon as possible. Given in Rome, from the offices of this Sacred Congregation, on May 2, 1921. N. CARD. MARINI, Secretary. L. "S.

[*Latin ed. p. 269*]

269 The Supreme Sacred Tribunal. ACTS OF THE SUPREME SACRED TRIBUNAL. The Tribunal of Trieste. APPEAL OR PROCEEDINGS CONCERNING RIGHTS AND BENEFITS. In the ordinary session held in the buildings of the Holy Roman Church in 1921, Cardinal Silj, at the Supreme Examination among the Eminent and Reverend DD. [Doctors of Canon Law], was called back on the 26th to review the appeal presented

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to the Tribunal of Trieste against the decrees issued by the Promoter of Justice in Turno, S. [Sacred], of the Roman Rota, dated December 13, 1920, and January 19, 1921, in the aforementioned case; ...the appeal, interposed against the aforementioned decrees, was, for reasons which will appear, rejected, and the appellant was denied the restoration of his rights. The appeal was then resubmitted to the Eminent Cardinal Prefect, in accordance with canon 30 of the Proper Law, with the addition of the word "Negative," ordering that the decision be extended. The decision, however, was of the following tenor: 1. The principal question concerns the Reverend Dominic Linardic, cooperator, as plaintiff, and the Reverend Justus Filiplió, parish priest of the church of Geminiensis, as defendant, regarding the fruits of the mansion known as Marincich, and regarding the revenues from the lease of a certain house, which the plaintiff claimed were due to him for the time he was cooperator in the aforementioned parish, that is, from October 1905 to January 31, 1907, in a total amount, with possible error, of approximately five hundred crowns. The administrative matter was previously heard and decided in the Tribunal of Trieste by a decree of the bishop dated May 25, 1908, in which the plaintiff's request was denied; then it was appealed to the diocesan tribunal of Trieste, which, with a judgment of December 30, 1909, likewise denied the plaintiff's intention. However, the Reverend Linardic appealed to the metropolitan tribunal of Gorizia, and the case was decided in his favor in both respects by a judgment of May 22, 1912. Subsequently, the Promoter of Justice in the Tribunal of Trieste appealed to the Tribunal of Trent, as a delegate for the third instance, according to the decree of the Sacred Congregation.

[*Latin ed. p. 270*]

270 Acta Apostolicae Sedis - Commentarium Officiale storialis, dated June 4, 1910, was cited; but the appeal was rejected, since it had not been filed within the proper time; furthermore, the Tribunal of Trent declared itself incompetent to grant the request for restitution in the original judgment, in accordance with the aforementioned decree, on November 14, 1913; however, the esteemed promoter of justice of the Tribunal of Trieste presented a petition for restitution in the original judgment to the Sacred Roman Rota on August 10, 1916, requesting that, considering the cause of public order, the action be maintained by the promoter of justice of the Sacred Roman Rota. He insisted that the parish priest, Justus Filiplié, be involved in the case as a principal party, which petition, after being admitted on March 16, 1918, was immediately communicated to the Tribunal of Trieste, and subsequently, without any effect, even after the difficulties of the war were removed; and therefore, on July 23, 1920, at the urging of the promoter of justice in the Sacred Roman Rota, it was ordered that, unless a duly appointed and legitimate procurator intervened to resolve the doubts within 12 days, by August 12, 1920, the case would be

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declared abandoned in accordance with § 222 of the Regulations. Since, on December 13, 1920, only the order for the appointment of a procurator from the part of the promoter of justice of the Tribunal of Trieste was filed in the records, but not from the part of the parish priest of the church of Geminiensis, a decree was issued by the presiding judge declaring the instance perempted, "so that the judgment of Gorizia may be given for execution." Against this decree, either the promoter of justice of Trieste or, through his duly appointed procurator, the parish priest Justus Filiplié, appealed on January 14, 1921; however, the appeal was rejected by a decree on the 19th of the same month, after the fatal and useless passage of time. In order to seek redress against both decrees, either of December 13, 1920, or of January 19, 1921, through the remedy of a complaint of nullity or a petition for restitution in the original judgment, the promoter of justice of the Tribunal of Trieste again filed a petition with this Supreme Tribunal.

2. On the part of the Reverend Linardi C, it is argued that the petition should already be rejected, because the request for restitution in the original judgment against the judgment of Gorizia was made in the Tribunal of the Sacred Roman Rota after the expiration of the legitimate period of four years (cf. canon 1688 with its sources); for the judgment was issued and published, as indicated therein, on May 22, 1912; but the petition appears to be dated August 10, 1916. However, there is nothing in the records to support this claim of untimely filing; indeed, the promoter of justice of Trieste asserts that the judgment was not notified to the Tribunal until September 1912, and that a copy of the judgment was sent to the Tribunal of Trieste; the date affixed to the copy of the judgment sent to the Tribunal of Gorizia is September 3, 1912; which date is legitimately accepted, in the absence of any contrary proof, as the date of notification of the judgment, before which, certainly, the period of four years would have expired.

[*Latin ed. p. 271*]

The Supreme Apostolic Signature, Tribunal 271, is not a series of fatal days (arg. from canon 1881, which states: "from the knowledge of the publication of the sentence"). Nor was the reason for rejection, which stemmed from the absence of the principal party, or, in this case, the pastor of the church of Gemina, considered sufficient in itself, as deduced from the words used by the Promoter of Justice in the Holy Roman Rota: "Considering that the Promoter of Justice, 'although he must be interested in contentious cases in which the public good can be called into question (canon 1586), nevertheless he must act as the procurator or advocate of one of the parties in dispute, even in the case where one of the parties in dispute is a moral person, collegiate or not collegiate; considering that, for the rights of a certain moral person, the rector or administrator stands in judgment of the same (canon 1649); considering that the public good requires that rectors or administrators not remain

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extraneous, while in judgment is being held concerning rights pertaining to moral persons which they must protect,' etc. But this argument, if extended to the conclusion that the office of the Promoter of Justice can never be that of the principal party in a case, but always and only a collateral office, so that he should be declared abandoned and his appeal dismissed whenever, having been called, the administrator or rector of the moral person refuses to appear, even though the action itself pertains to the public good, this deduction certainly could not escape serious censure from the law and jurisprudence; because it is manifestly contrary to the very reasons of the public good, which the Promoter so eloquently adduced, and which constituted the foundation for the explicit provision of the law contained in canon 1850: 'The contumacy of the actor, declared by the judge, extinguishes the right of the same actor to pursue his appeal. However, it is permitted to the Promoter of Justice... to make his appeal and to pursue it, whenever the public good seems to require it.' 3. But a sufficient reason for excluding the petition of the Promoter of Justice of the Curia of Trieste, interposed against the sentence of the Tribunal of Gorizia, was rightly deduced from the lack of legitimate standing in the petitioner for the purpose in question. The office of the Promoter of Justice is a public office, which, although in itself one and the same, is represented in each level of judgment by a particular public person established for this purpose; therefore, it is not permissible for the Promoter of Justice of one tribunal to assume the person of the plaintiff or defendant in the court of another tribunal; but this action can only and entirely be maintained by the Promoter of Justice of the same tribunal. In this case, therefore, to file an appeal or recourse against the sentence of the Tribunal of Gorizia in the Holy Roman Rota, it was competent, in addition to the losing party, one Promoter of Justice.

[*Latin ed. p. 272*]

Acts of the Apostolic See – An official commentary concerning the tribunal of Gorizia, which should have yielded to the Promoter of Justice in the Sacred Roman Rota, since otherwise, the most absurd consequence would follow, namely that in the same court, two Promoters of Justice, each with the same title, would intervene in the same case. Hence, it is explicitly stated in Article 39 of the Regulations for the Sacred Roman Rota: "In cases... which concern order and the public good, the court of first instance, as far as strict judicial procedure is concerned, cannot be represented by a private procurator or advocate, but order and the public good will be defended by the Promoter of Justice of the Sacred Rota. Likewise, if a judgment of a second instance or a further instance is instituted by the Promoter of Justice... the court pronouncing the sentence will continue the proceedings through the Promoter of Justice of the Sacred Rota." Furthermore, according to the common jurisprudence, both civil and canonical, as interpreted

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by the Most Reverend Cardinal Lega, in "De Iudiciis," I, p. 147, cf. 546: "The public prosecutor of the court will defend the appealed judgment, keeping in mind the observations of the public prosecutor of the court from which the appeal originated." It cannot be argued that, when dealing with the Promoter of Justice of the Tergestine court, he acts, by virtue of the office he holds, even independently of the right of appeal, as a legitimate person representing pious causes, and other legal persons, benefices, and churches, whose rights he must defend everywhere; for, on the contrary, this universal representation, even by devolutive title, carried out outside the court, is not recognized by the law for the Promoter of Justice, but only by the Ordinary (canon 1653 § 5): "In the case of defect or negligence of the one who performs the duties of administrator, the Ordinary of the place himself, or through another, can appear in court in the name of the moral persons who are under his jurisdiction." Therefore, even under this title, the representation of the Promoter of Justice of the Tergestine court in the Roman case, in this instance, for the parish of Geminensis, is not legitimate, unless he demonstrates that he is acting not in his own person, but in the name and by the mandate of the Ordinary, which, in this case, is not at all evident from the records. Finally, it was considered that it had not been sufficiently proven that there was a reason of public good preventing the enforcement of the judgment of the Gorizia court: for the dispositive part of this judgment merely orders that the priests Linardic pay, in proportion to the time, the fruits of the mansion and the proceeds from the lease in the case, a sum which scarcely amounts to a few hundred crowns; if the parish priest Filiplió were to agree to the judgment and pay the aforementioned sum, rather than incur the expenses of further litigation, it would not, in fact, endanger the public good. Nor can it be said that, in the motivating part of the decision, it is expressly and generally stated that the aforementioned fruits and proceeds are due to the coadjutor of the parish of Geminensis.

[*Latin ed. p. 273*]

The Supreme Apostolic Tribunal, having considered the arguments presented, finds that this matter concerns not only the interests of the parties involved, but also the public good, so that the judgment rendered may maintain its validity. For, as this Supreme Tribunal has observed on numerous occasions, in a matter already judged, the reasons for the decision do not lapse, but only the dispositive part of the judgment (cf. decisions of the Signatura, in Manilen., March 6, 1920 [A. A. S., XII, pp. 265 ff.]). Furthermore, it was never, nor could it be, the proper purpose of a judgment to definitively determine, by law, the right to receive the aforementioned fruits between the moral person or the office of the parish priest and the moral person or the office of the cooperating curate; for, as other things might be omitted, when the Reverend Diocesan established the office, that

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office had already been relinquished for some time, and therefore, he could not, in law, represent the corresponding moral person, nor act in any other way than in his own, private person, so that this action is more properly an action based on credit than on rights. Therefore, nothing prevents the current parish priest of the church of Geminiensis from resisting and successfully opposing the intention of his new cooperator, if the latter claims certain rights to the fruits and revenues, and therefore a new cause may be brought between them; much more so if either party, in court, represents not a private person, but the definite moral person that he governs or administers, and the cause is instituted not only concerning a certain sum, but also concerning the right to receive revenues and emoluments in the case at hand. From this, it is also clear that the promoter of justice in the Holy Roman Rota did not, by law, refuse to maintain the cause abandoned by the principal plaintiff in the aforementioned case.

4. Having considered all of the above, it is evident that the appeal of the promoter of justice of the Curia of Trieste against the decree of December 13, 1920, by which, in accordance with § 222 of the Regulations, the appeal was declared inadmissible, should not be accepted; but neither should the appeal or recourse against the decree of January 19, 1921, by which the appeal against the aforementioned decree was simply rejected, be admitted for frivolous reasons. For it is clear to everyone that on January 14, 1921, when the memorandum for the appeal was presented, the deadlines for appeal, as defined by § 82 of the Regulations, had already expired. And so it was decreed, etc.; not only, etc., but also to everyone, etc. From the offices of the Supreme Tribunal, March 15, 1921. Ubaldus Manmicci, Voting Member of the Signatura.

SEEN: Evaristus Lucidi, Secretary of the Supreme Apostolic Tribunal.

Aloisius Scialdoni, Notary.

[*Latin ed. p. 274*]

Acts of the Apostolic See - Official Commentary. ACTS OF THE APOTOLIC DATARY OF NEVERS. ERECTION OF A DIGNITY, NAMELY A DEANERY. Our Most Holy Father Benedict, Divine Providence, of Blessed Memory, through Apostolic Letters issued by the Datary, on the 12th of March, 1921, in the Cathedral Chapter of Nevers, deigned to erect and establish for perpetuity a single dignity, to which the name of Deanery belongs, which, together with its canonry and benefice, can be retained by one of the canons without Apostolic dispensation. Furthermore, the aforementioned Deanery, the fruits of which are presently none, has been declared reserved for the collation and disposition of the Apostolic See; and for the first time, it was offered to the Reverend Doctor August Eugène Dumasdier, from among the older canons, as Chancellor of the Episcopal

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Palace.

[*Latin ed. p. 275*]

275 *Diarium Romanae Curiae*. DIARY OF THE ROMAN CURIA. SACRED CONGREGATION OF RITES. Tuesday, May 10, 1921, before the Most Reverend and Venerable Cardinal Anthony Vico, Prefect of the Sacred Congregation of Rites, in the presence of the Promoter of the Cause of Beatification and Canonization of the Venerable John Baptist Trona, Priest of the Congregation of the Oratory of Mondovì, the Preliminary Congregation was held, in which the Reverend Prelates and the theological Consultors of the same Congregation discussed the doubt concerning the heroism of the virtues exercised by the aforementioned Venerable Servant of God. Tuesday, May 24, 1921, in the Apostolic Palace of the Vatican, the Ordinary Congregation of Sacred Rites was held, in which the following matters were presented to the judgment of the Most Reverend and Venerable Cardinals who comprise the same: 1) The introduction of the Cause of Beatification and Canonization of the Servant of God Mary of Jesus Deluil Martiny, Foundress of the Congregation of the Daughters of the Sacred Heart of Jesus. 2) The introduction of the Cause of Beatification, that is, the declaration of the martyrdom of the Servant of God Dan or Gian, a girl of 13 years, killed by idolaters, in hatred of the Faith, as is asserted, in Eastern Cochinchina. 3) Concerning the granting and approval of the Office, Mass, and the Encomium to be inserted in the Martyrology of the Order of Preachers in honor of the Blessed Dominic Spatafora, a professed priest of the same Order. 4) Concerning the granting and approval of the Office and Mass for the feast of the Patronage of the Virgin Mary, Mother of Orphans, for the Regular Clerics of the Somascan Order. SACRED CONGREGATION FOR SEMINARIES AND CATHOLIC UNIVERSITIES. NOTICE OF COMPETITION. A competition is announced for the days of July 14 and 15 next, at 8 o'clock, for a position of Assistant in the Secretariat of the Sacred Congregation for Seminaries and Catholic Universities. Clergy who wish to participate in this competition must submit their respective application to the Most Reverend Cardinal Prefect, no later than June 30 next.

[*Latin ed. p. 276*]

Apostolic See - Official Commentary 276, accompanied by the appropriate general information and the authorization of the respective diocesan curia and the Most Reverend Cardinal Vicar of His Holiness. They will also present the documents of ecclesiastical studies completed and the academic degrees obtained. The examination will consist of written tests on topics of theology and canon law, especially pertaining to the organization of seminaries and Catholic universities. Particular consideration will be given to proficiency in the Latin and Italian languages. From the Secretariat

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of the Sacred Congregation for Seminaries and Catholic Universities, May 30, 1921.

APOSTOLIC DECREE: The Holy Father, with a letter from the Most Reverend Cardinal Datary, dated March 14, 1921, has graciously deigned to appoint the Reverend Father Domenico Buonpensiere, of the Order of Preachers, as Theologian of the Apostolic Datary.

SECRETARY OF STATE: With letters from the Secretary of State, the Holy Father has graciously deigned to appoint:

April 17, 3, 6, 7, 11, 14, 20, 1921.

Most Reverend Ubaldo Mannucci, Director of the Official Bulletin "Acta Apostolicae Sedis."

Most Reverend Roberto Vicentini, Apostolic Nuncio to the Netherlands.

Reverend Father Giorgio Michele Sauvage, of the Congregation of the Most Holy Cross, Consultor of the Sacred Congregation for Religious Orders.

Most Reverend Giuseppe Pizzardo, Substitute of the Secretary of State and Secretary of the Cipher.

Reverend Canon Giuseppe Cesarini, Minute-taker in the Secretariat of State of His Holiness.

Most Reverend Pietro Ciriaci, Under-Secretary of the Sacred Congregation for Extraordinary Ecclesiastical Affairs.

Most Reverend Bonaventura Cerretti, Archbishop of Corinth, Secretary of the Sacred Congregation for Extraordinary Ecclesiastical Affairs, Apostolic Nuncio to Paris.

[*Latin ed. p. 277*]

From the Roman Curia Diary, No. 277, with Apostolic Briefs, the Holy Father has deigned to appoint:

Assistants to the Papal Throne:

April 16, 1921. Monsignor Francesco Alessandro Maillet, Bishop of Saint Claude.

Protonotaries Apostolic, with the privileges of those participating:

March 21, 1921. Monsignor Benedetto Santarelli, of the diocese of Ascoli Piceno.

April 30. Monsignor Michele Guarini, of the archdiocese of Taranto.

May 3. Monsignor Giovanni T. O'Connell, of the diocese of Toledo in the United States.

May 8. Monsignor Lorenzo Coonan, of the archdiocese of Sydney.

May 8. Monsignor Giovanni Patrizio Moynagh, of the same archdiocese.

Domestic Prelates of His Holiness:

March 4. Monsignor Alberto Petrasch, of the diocese of Lincoln.

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April 10. Monsignor Achille Grimaldi, of the archdiocese of Capua.

April 25. Monsignor Matteo Filippucci, of the archdiocese of Nasso, Tine, and Micone.

April 27. Monsignor Giovanni M. Owens, of the diocese of Superior.

April 28. Monsignor Cesare Pecorari, of Rome.

April 28. Monsignor Gustavo Adolfo Carling, of Wiborg in Finnland.

April 28. Monsignor Isidoro Marcu, of the archdiocese of Fogaras.

April 28. Monsignor Simeone Popu Matein, of the same archdiocese.

April 28. Monsignor Antonio T. Teixeira, of the diocese of Saint Thomas of Meliapor.

April 29. Monsignor Domenico Spada, of Rome.

April 29. Monsignor Carlo Grossauer, of the diocese of Seckau.

May 2. Monsignor Benedetto Rosinski, of the diocese of Toledo in the United States.

May 4. Monsignor Giuseppe Pizzardo, of Rome.

May 7. Monsignor Angelo Roncalli, of the diocese of Bergamo.

May 10. Monsignor Samuele A. Stritch, of the diocese of Nashville.

HONORS

With Apostolic Briefs, the Holy Father has deigned to bestow the following honors:

The Grand Cross of the Order of Pius:

May 13, 1921. To Mr. Pietro Guglielmo Cort Van der Linden, formerly President of the Council of Ministers in the Netherlands.

[*Latin ed. p. 278*]

Acts of the Apostolic See – Official Commentary 278. The Order of Saint Gregory the Great: Award of the Cross with Plaque. May 2, 1921. To Mr. Adriano De Montpellier, of the diocese of Namur. May 13, 1921. To Mr. Enrico Esders, of the archdiocese of Malines. The Order of Saint Gregory the Great, civil class: Award of the Cross. May 13, 1921. To Mr. Giovanni Loudon, formerly Minister of Foreign Affairs in the Netherlands. The Order of Saint Gregory the Great, civil class: Award of the Cross. April 25, 1921. To Mr. Alberico Gibault, of the diocese of Séez. May 28, 1921. To Mr. Doctor Pietro Spaapen, of the diocese of Harlem. May 29, 1921. To Mr. Camillo Joset, of the diocese of Namur. May 30, 1921. To Mr. Knight Ettore Sasselli, of Rome. May 30, 1921. To Mr. Emilio Attout, of the diocese of Namur. May 15, 1921. To Mr. Edmondo Wibaut, of the diocese of Tournai. May 20, 1921. To Mr. Vincenzo Desclée, of the same diocese. The Order of Saint Gregory the Great, civil class: Award of Knighthood. April 26, 1921. To Mr. Eugenio Théodore, of the archdiocese of Madras. To Mr. Luigi Rozarlo, of the same archdiocese. To Mr. Felice Alessandro De Cruz, of the diocese of Saint Thomas of Meliapor. May 29, 1921. To Mr. Giuseppe Lucet,

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of the diocese of Orléans. To Mr. Paolo Chartier, of the archdiocese of Lione. May 31, 1921. To Mr. Maurizio Panart, of the diocese of Beauvais. To Mr. Renato Simon, of the same diocese. To Mr. Accountant Luigi Bersi, of the diocese of Bergamo. To Mr. Paolo Paturle, of the diocese of Grenoble. May 4, 1921. To Mr. Alfonso Gregori, of the archdiocese of Milano. May 11, 1921. To Mr. Giovanni Belardo, of Rome. May 18, 1921. To Mr. Odoardo Palma, of Rome. The Order of Saint Sylvester the Pope: Award of the Cross. April 23, 1921. To Mr. Alessandro bey de Chedid. May 9, 1921. To Mr. Enrico Ermanno Richter, of the diocese of Harlem. May 11, 1921. To Mr. Ludovico Alfrego Pagès, of the archdiocese of Tolosa. May 20, 1921. To Mr. Knight Francesco Donati, of Rome. The Order of Saint Sylvester the Pope: Award of Knighthood. April 23, 1921. To Mr. Giuseppe Azar. To Mr. Riscallah Azar.

[*Latin ed. p. 279*]

Diarium Romanae Curiae 26, 27, 30 Aprilis, 1921.

To the Most Reverend Signor Achille Costantini, of Rome.

To the Most Reverend Signor Settimio Sogliera, of Rome.

To the Most Reverend Signor Count Alberto Bardi Serzeìli, of the archdiocese of Florence.

May 6th.

To the Most Reverend Signor Ferruccio Guggerotti, of the diocese of Vicenza.

BY THE GRACE OF HIS HOLINESS, THE FOLLOWING APPOINTMENTS HAVE BEEN MADE:

Secret Chamberlains in Ordinary:

2, 23, 26

27, 29

30

March 3, 4, 6, 12

13

March 18, 20, 1921.

The Most Reverend Monsignor Giovanni Liebner de Kakucs, of the diocese of Vacz.

The Most Reverend Monsignor B. Rass, of the diocese of S. Gallo.

The Most Reverend Monsignor Domenico Belli, of the diocese of Fabriano and Matelica.

The Most Reverend Monsignor Federico Pietro Leonardo Flooren, of the diocese of Breda.

The Most Reverend Monsignor Corrado Seling, of the diocese of Osnabrück.

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The Most Reverend Monsignor Giuseppe Consoli, of the diocese of Anglona and Tursi.

The Most Reverend Monsignor Stefano Rosianu, of the archdiocese of Fogaras and Alba Giulia.

The Most Reverend Monsignor Giorgio Simu, of the same archdiocese.

The Most Reverend Monsignor Sebastiano Pio Gaido, of the archdiocese of Turin.

May.

The Most Reverend Monsignor Giovanni Battista Ruggeri, of the diocese of Bergamo.

The Most Reverend Monsignor Nazareno Orlandi, of the archdiocese of Siena.

The Most Reverend Monsignor Giuseppe Magri, of the archdiocese of Milan.

The Most Reverend Monsignor Giacomo Ubaudi, of the archdiocese of Turin.

The Most Reverend Monsignor Alfonso Toda y Ñuño de la Rosa, of the diocese of Madrid and Alcalá.

The Most Reverend Monsignor Pietro Borgia, of Rome.

The Most Reverend Monsignor Pio Cenci, of Rome.

The Most Reverend Monsignor Eugenio Tisserant, of the diocese of Nancy (Rome).

The Most Reverend Monsignor Federico Beelert, of the diocese of Munster.

The Most Reverend Monsignor Giorgio Périès, of the archdiocese of Paris.

The Most Reverend Monsignor Giovanni Litsehauer, of the diocese of S. Ippolito.

The Most Reverend Monsignor Vincenzo Marucco, of the diocese of Novara.

The Most Reverend Monsignor Giuseppe Zaccarella, of Rome.

March, April.

[*Latin ed. p. 280*]

Acts of the Apostolic See - Official Commentary

• 280 Extraordinary Knights of the Sword and Mantle of His Holiness: April 27, 1921. Mr. Free Baron Sigfrido de Hobe-Gelting, of the diocese of Osnabrück.

May 6th: Mr. Baron Pompilio Berlingeri, of Rome.

May 7th: Mr. Count Alfonso Crespo y Martin-Romero Galvez del Postigo y Godoy, of the diocese of Madrid.

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Honorary Knights in the peacock-blue attire of His Holiness:

April 26th, 29th:

1921. Monsignor Francesco Gambelli, of the diocese of Iesi.

Monsignor Hariton M. Popa, of the archdiocese of Fogaras and Alba Julia.

Monsignor Alessandro Russu, of the same archdiocese.

Honorary Knight *extra Urbem* of His Holiness:

May 4th, 1921. Monsignor Ruggero Lovazzano, of the diocese of Tortona.

NECROLOGY

May 9th, 17th, 21st, 26th, 1921.

Monsignor Filippo Neri Sendrea, Bishop of Calabozo.

Monsignor Giorgio Carié, Bishop of Spalato.

Monsignor Michele Claro Vasquez, titular Bishop of Legione.

Monsignor Matteo Harkins, Bishop of Providence.

[*Latin ed. p. 281*]

June 18, 1921. Year XIII. Vol. XIII. No. 8. ACTA APOSOLICAE SEDIS. OFFICIAL COMMENTARY. ACTS OF POPE BENEDICT XV. SACRED CONSISTORY.

On June 13, 1921, a secret Consistory was held in the Apostolic Palace at the Vatican, the acts of which are reported in order:

I. - ADDRESS OF HIS HOLINESS, POPE BENEDICT XV. CREATION AND PUBLICATION OF NEW CARDINALS OF THE HOLY ROMAN CHURCH.

"Venerable Brothers, the reason we have convened you today, once again as the year turns, was twofold: to supplement your most distinguished College and to nourish, with solemn rites, the needs of many Churches. But before we proceed to the matters proposed, it pleases Us, according to ancient custom and the institution of our predecessors, to communicate with you certain of the most important affairs of the Catholic Church. You remember, surely, that when We addressed you with a prayer in this very place two years ago, on the tenth day of March, We were greatly concerned about the course of events in Palestine, in that region so dear to Us and to Christ."

[*Latin ed. p. 282*]

Acts of the Apostolic See – An Official Commentary, most beloved to all Christians, which the Divine Redeemer Himself consecrated by the very course of His mortal life. Indeed, that concern of ours is not only not lessened, but even increases daily. For, as we have lamented concerning the affairs of Palestine, which are beset by foreign and heretical sects bearing the Christian name, and where abominable deeds are committed there, we

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must lament this even now, seeing how those sects persevere daily with greater zeal, abundant in resources, and cunningly exploiting the inhabitants, amidst great war, extreme poverty, and destitution. Although we have not neglected to assist the people of Palestine, fostering many works of charity and initiating new ones, and we will not cease to do so as long as it is possible, we are nevertheless unable to provide them with aid equal to their needs, especially because, from the resources with which, by the providence of God, we are endowed, we must succor those everywhere who implore the benevolence of the Apostolic See. Therefore, we are greatly grieved to see, with increasing sadness, souls, deeply beloved by us, gradually perishing, for whose salvation so many apostolic men, and especially the alumni of the Patriarch of Assisi, have labored so long and so much. Furthermore, when the Christian forces had once again restored the Holy Land to their power, we shared in their common joy; but that joy was tempered by the fear that we expressed to you in the same prayer, lest from this deed, which is in itself glorious and joyous, it would follow that the Jews would prevail in Palestine, and especially that they would enjoy some kind of right. That fear, it seems, has not been in vain. For it is evident that the condition of the Christians in the Holy Land has not only not improved, but has even worsened, that is to say, because of new laws and institutions of the state, which – we do not say by the will of the authors, but certainly in fact – tend to cast down the Christian name from that position which it has always held there, to the advantage of the Jews. To these things, we see many...

[*Latin ed. p. 283*]

"The acts of Pope Benedict XV, number 283, state that efforts are being made to profane the Holy Places and to convert them into certain places of pleasure, by bringing there all sorts of delights and every kind of invitation to luxury; which, indeed, cannot be proven anywhere else, let alone where the monuments of the true religion are widely present.

Since, however, the affairs of Palestine are not yet established for all time, We now decree that, when the time comes to organize Palestine, the rights of the Catholic Church and of all Christians there must be preserved and respected; We certainly do not wish to diminish anything from the rights of the Hebrew people, but We maintain that the sacred rights of Christians should not be completely suppressed by them. And on this matter, We earnestly implore all those who govern Christian peoples, or even non-Catholics, to insist that they not be burdened within that Society of Nations, to which the English mandate for Palestine is said to be entrusted.

And if We turn our eyes from the Holy Land to Europe, even here great burdens are presented to Us. For, as you know, Venerable Brothers, the animosities and hatreds among the peoples have not yet subsided, and the war, though almost extinguished like a fire, still leaves a warlike spirit alive.

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Therefore, all those who sit in positions of power in the public affairs of every place, We call upon, and We implore, to, with their authority and encouragement, cause the peoples to forgive their mutual enmities and, to promote the common good, and to resolve, with justice as their guide and charity as their companion, those controversies that still remain among them; and thus, may they finally bring about the long-desired peace of Europe!

But in these hardships, the Lord Jesus wished to console His Bride, the Church, and His Vicar on earth, with some solace. Understand this, that almost all the states with which We had no public dealings, have, shortly after the war, spontaneously expressed to Us their desire to be in communion with Us.

[*Latin ed. p. 284*]

Concerning the fostering of friendship and concord with this Apostolic See, having been persuaded that, should their request be granted, it would not be without fruits of public utility. We, observing the solemn customs of this Apostolic See, and adhering to the doctrine of the Catholic faith, which holds that the head of both powers, by mutual consent, strives for the common good of the City and the Church, readily granted such requests, without, of course, infringing upon those most sacred principles which are ours in this matter. Even Gallia, having publicly withdrawn itself from the embrace of the mother [Church], recently regained that place which it had held among the nations for many centuries under Jesus Christ, the Vicar of Christ, again, after an interval of sixteen years; a return which has been most pleasing to us, and to every good man, as was the bitter departure. What, therefore, seemed to be a very difficult matter in these sad times, is now, by the providence of God, that almost the entire republic of cultivated nations has a connection with this Apostolic See: a connection, for which we earnestly pray to God, that it may truly exist, as it ought to be, for the salvation of the Church and of each nation. Now, in order to carry out this purpose, we have decreed to honor three men with the sacred dignity of the Purple, men of outstanding merit and talent, who, through their service to the Church, have proven themselves exceedingly worthy to us. These are: IOANNES TACCI, Archbishop titular of Nicaea, Prefect of the Pontifical Household; ACHILLES RATTI, Archbishop of Adana, Apostolic Nuncio in Poland; and CAMILLUS LAURENTI, Assistant of the Sacred Council, for the propagation of the Christian name. What do you think?

[*Latin ed. p. 285*]

285 The Acts of Pope Benedict XV. Therefore, by the authority of Almighty God, of the holy Apostles Peter and Paul, and Our own, We create and publicly proclaim the following Cardinals: from the Order of Presbyters, John Tacci; Achilles Ratti; from the Order of Deacons, Camillus

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Laurenti. With the necessary and appropriate dispensations, derogations, and clauses. In the name of the Father, and the Son, and the Holy Spirit. Amen. Following this, We provide for the needs of the venerable brothers, the Bishops, as follows: II. – PROVISIONS FOR CHURCHES. Then, the Most Blessed Father, desiring this, provides pastors for the churches, namely: He appointed the Most Reverend Achilles, Cardinal of the Holy Roman Church, to the Metropolitan Church of Milan. To the Patriarchal See of Alexandria of the Latins, the Most Reverend De Huyn, formerly the titular Archbishop of Sardica. To the titular Archbishopric of Macra, the Reverend Paul, formerly Archbishop of Birmingham, Edward Ilsley. To the Metropolitan Church of Liverpool, the Reverend Frederick lelm Keating, formerly Bishop of Northampton. To the titular Archbishopric of Attalia, the Reverend Anthony Lega, formerly Bishop of Trivento, appointed as Coadjutor with the right of succession, the Reverend Paschal Morganti, Archbishop of Ravenna and Bishop of Cervia. To the titular Archbishopric of Siraces, the Reverend Philip Cortesi, Apostolic Nuncio to the Republic of Venezuela.

[*Latin ed. p. 286*]

286 Acta Apostolicae Sedis - Official Commentary. To the Cathedral Church of Colle di Val d'Elsa, the Reverend Father John Andrea Masera, formerly titular Bishop of Himeria, suffragan of Sabina, and Apostolic Administrator of the diocese of Leghorn. To the Cathedral Churches of Fabriano and Matelica, perpetually and canonically united with each other, the Reverend Father Aloysius Ermini, formerly Bishop of Caiacenza. To the Cathedral Church of Regina-Gradicensis, the Reverend Father Charles Kaspar, formerly titular Bishop of Bethsaida. To the titular Episcopal Church of Bethsaida, the Reverend Father tium Janssens, Abbot titular of Monte Blandini, of the Order of Saint Benedict, Secretary of the Pontifical Biblical Commission, and former Rector of the College of Saint Anselm in Rome. To the Cathedral Churches of Terni and Narni, perpetually and canonically united with each other, the Reverend Father Caesar Boccoleri, Apostolic Protonotary, Archpriest of the place called "Rapallo" in the Clavarensi diocese. To the titular Episcopal Church of Diocaesarea, the Reverend Father Joseph Pran- zini, General Vicar of Bologna, appointed as Auxiliary to the Most Reverend Father George, Cardinal Gusmini, Archbishop of Bologna. To the Cathedral Church of Leghorn, the Reverend Father John Piccioni, General Vicar. To the Cathedral Church of Susa, the Reverend Father Humbert Rossi, Canon of the Cathedral Church of Casale Monferrato. To the titular Episcopal Church of Lami, the Reverend Father Thomas Shine, appointed as Coadjutor with right of succession to the Most Reverend Father Richard Lacy, Bishop of Middlesbrough. Furthermore, Our Most Holy Lord also publicly announced, through Apostolic Letters sealed with lead, the resignation of other sacred prelates,

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namely: ARCHBISHOPS: of Pharsala, Sebastian Lerne a Silveira Cintra, formerly Archbishop of Olinda and Recife. of Syracuse, Jacob Carabelli. of Caieta, Paschal Berardi, formerly Bishop of Ruvo and Bitonto. of Adana, Achilles Ratti, formerly titular Archbishop of Naupactus. of Naupactus, of Helenopolis, Frederick Tedeşchini. of Robertum, Vincentini.

[*Latin ed. p. 287*]

Acts of Pope Benedict XV, 287. BISHOPS: Of Flaviopolitan, Paul Albera, already Bishop of Bova. Of Pelotas, Joachim Ferreira de Mello. Of Galatanisiada, John Iacono, already Bishop of Melphicta, Giovinazzo, and Terlizzi. Of Philadelphia, Olismata, Lodz, Francis Paul Vazhapilly. Rémond. Vincent Tymieniecki. Of Bita, Francis Rudolph, of Brixen; John Bornewasser. Raffi. Of Corpus Christi, Emmanuel Ledwina. Of Nicotera and Tropea, Felix Gribellati. ARCHBISHOP: Of St. Martin in-Monte Pannoniae, Remigius Bardos. ABBOT: Of St. Peter near Munster, Michael Ott. II I. – THE TRADITION OF THE RED GOWN TO THE CARDINALS. On June 16, 1921, a public Consistory was held in the Apostolic Palace at the Vatican, in which Our Holy Father solemnly presented the red gowns to the Cardinals who had already been created and publicly announced in the Consistory of March 7, 1921, namely: His Eminence FRANCIS RAGONESI, His Eminence JOHN BENLLOCH Y VIVÓ, His Eminence FRANCIS ASSISI VIDAL Y BARRAQUER; and also to the Cardinals recently created and publicly announced in the Consistory of June 13, namely: His Eminence JOHN TACCI, His Eminence ACHILLE RATTI, His Eminence CAMILLO LAURENTI.

[*Latin ed. p. 288*]

288. The Acts of the Apostolic See, -, Official Commentary, through the Advocate of the Holy Congregation in Aoste, Milan, concluded for the third time the cause for the beatification and canonization of the venerable Justin de Jacobis, Priest of the Congregation of the Missions.

n. - APPOINTMENTS OF CHURCH OFFICIALS. On the same day, in the secret Consistory, the Most Blessed Father, after, according to custom, having dismissed six esteemed Cardinals, also provided the following churches with their respective pastors:

To the Metropolitan Church of Birmingham, he appointed the Reverend Father John McIntyre, formerly the titular Archbishop of Oxyrhynchus.

To the Archiepiscopal Church of Le Roy, formerly the titular Church of Garcias, he appointed the Reverend Father Alexander Olindensis, General Superior of the Congregation of the Holy Spirit.

To the Archiepiscopal titular Church of Grain, he appointed the Reverend Father John Mary Mérel, formerly the titular Bishop of Orcistius.

To the Archiepiscopal titular Church of Madit, he appointed the Reverend Father Henry Döring and the Reverend Father Joseph Schrembs,

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formerly the Bishop of Poona.

To the Cathedral Church of Cleveland, formerly the Bishop of Toledo in America.

To the Cathedral Church of Campifont, he appointed the Reverend Father Thomas O'Reilly, General Vicar of Manchester.

To the Episcopal titular Church of Germanicia, he appointed the Reverend Father Aloysius Harthl, whom he designated as an Auxiliary to the Most Reverend Michael Cardinal De Faulhaber, Archbishop of Munich and Freising.

To the Cathedral Church of Prince Albert and Saskatoon, he appointed the Reverend Father Joseph Prud'homme, General Vicar of the diocese of Saint Boniface.

To the Cathedral Church of Pittsburgh, he appointed the Reverend Father Hugh and the Reverend Father James Viladrich, Auxiliary to the Most Reverend John Boyle, Cardinal.

To the titular Episcopal Church of Tricomia, he appointed the Reverend Father Eduard Komar, Auxiliary to the Most Reverend Benlloch y Vivó.

To the titular Episcopal Church of Alinda, he appointed the Reverend Father Leonis Wadega, Bishop of Tarnów, as Auxiliary to the parish priest of Sucha.

[*Latin ed. p. 289*]

289. The acts record that Pope Benedict XV conferred titular ecclesiastical titles upon the following: To the Reverend Father Soter Redondo Herrero, of the Order of the Hermits of Saint Augustine, Apostolic Vicar of Saint Leo of Amazonas; to the Reverend Father Silvin Ramirez, titular ecclesiastical of the Church of Verinopolis, Apostolic Vicar of Lower California; to the Reverend Father Augustine Gauthier, of the Parisian Society for Foreign Missions, Apostolic Vicar of Quang-Tong Occidental and Hainan.

III. – TITLES GRANTED TO CARDINALS.

Following this, the Most Blessed Father opened the way for six new Cardinals, to each of whom he assigned: To His Eminence RAGONESI, the title of Saint Marcellus; to His Eminence BENLLOCH Y VIVÓ, the title of Saint Mary Major; to His Eminence VIDAL Y BARRAQUER, the title of Saint Sabina; to His Eminence TACCI, the title of Saint Mary over the Tiber; to His Eminence RATTI, the title of Saint Martin in Mons; and to Enio LAURENTI, the deaconry of Saint Mary Scalari.

IV. – THE REQUEST FOR THE SACRED PALLIUM.

Then His Eminence, the Most Reverend Cardinal Ratti, after having first taken the oath before the Most Holy Father, requested the pallium for his

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Metropolitan Church of Milan; and after him, the pastors of the Metropolitan Churches of Liverpool, and of the Archiepiscopal Cathedral Church of Birmingham, of Syracuse, and of Gaieta, also requested the pallium; as did, by privilege and succession, the Church of Claromont.

To these requests, the Most Blessed Father graciously deigned to assent.

[*Latin ed. p. 290*]

Acta Apostolicae Sedis - Official Commentary

APOSTOLIC CONSTITUTION CONCERNING THE DIVISION AND ERECTION OF THE TERRITORIAL ABBEY OF SAINT PETER AT MUENSTER

BENEDICT, BISHOP, SERVANT OF THE SERVANTS OF GOD,

FOR THE PERPETUAL REMEMBRANCE OF THE MATTER.

No one is ignorant of the outstanding contributions of the Benedictine Order, both to the Church and to civil society. For in many regions, the sons of Saint Benedict, together with the Christian religion, have introduced civil order. Consequently, certain parts of the Catholic world were entrusted to the care of Benedictine monks, either by Bishops or by the very Apostolic See itself, and, as circumstances demanded, abbeys of a nullius diocese were established there by Our Predecessors.

We shall now present a remarkable example of the concern of the Benedictines in the spread of the Christian religion, in the Canadian territory. In order to cultivate that Canadian region near Muenster, in the civil province of Saskatchewan, which was uncultivated and inhabited only by native Indians, the Most Reverend Albert Pascal, the Ordinary of that region, and formerly Apostolic Vicar, and then Bishop under Prince Albert, gladly received certain Cluniac monks from the monastery of Wetang, in the province of Illinois in the United States of America; who proposed to improve the condition of that place through evangelical preaching and civil institutions. And, with the help of God's grace, the studies and labors of the monks prospered. For Catholics, largely of German origin, from the United States and from Germany, Austria, Switzerland, and Russia, came there, and under the direction and spiritual care of those monks, they established a colony called Saint Peter at Muenster; and among these monks and the aforementioned Albert Pascal, the local Ordinary, an agreement concerning the care of souls was initiated, which this Apostolic See approved, and indeed, the Benedictine Priory of Saint Peter, encompassing several parishes, was elevated to the rank of an abbey on the fifteenth day of the month of August of the year nineteen hundred and eleven.

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Territory-

[*Latin ed. p. 291*]

The acts of Pope Benedict XV, page 291, state that this abbey extends to fifty-four miles in length and thirty-three miles in width, and covers one hundred and twelve thousand square acres, or fifty townships, and today includes the parishes of Muenster, Humboldt, Annaheim, Dead Moose Lake, Fulda St. Benedict, Leofeld, Bruno, Engelfeld, and Watson. Considering the prosperous state of this colony, Albert Pascal, the Bishop, and reflecting on the fact that it would greatly benefit the preservation of this colony if it remained under the direction and care of the monks of the Benedictine Order, before his death, he presented us with humble petitions, asking that the Abbey of Saint Peter, together with the parishes dependent upon it, be established as a monastery of no diocese, also named Saint Peter, near Muenster. We, considering these petitions and the religious growth of the aforementioned monastery, with the advice of our beloved sons, the Cardinals of the Holy Roman Church, who preside over the Sacred Congregation Consistorial, and with their consent, and by the fullness of our Apostolic power, we divide and separate the aforementioned region, which has taken the name of the Colony of Saint Peter, from the Diocese of Prince Albert and the Saskatoon Diocese, to which it previously belonged, and we establish and constitute it as a monastery of no diocese, named Saint Peter near Muenster, under the governance and jurisdiction of the Abbot for the time being of said monastery, subject immediately to the Apostolic See. We also constitute the Church of Saint Peter of this monastery as the cathedral church of the newly established monastery of no diocese, retaining the same dedication and title; furthermore, we establish and constitute therein a monastic chapter, in the manner of an episcopal dignity, for one Abbot, designated by the title of the monastery itself, who will preside over the church, the monastery, and the region, as defined above, and who will have and exercise all rights, offices, and duties according to the canons of the Code of Canon Law, especially those pertaining to chapter X, title VII, book II, "Concerning Inferior Prelates," as well as all other rights and privileges common to Abbots of no diocese of the Order of Saint Benedict, and which they customarily enjoy by Apostolic Indult, except those which are proper to the Prelates of cathedral churches in the Canadian dominion. We also impose obligations and grant rights and privileges to the monastic chapter, to be established from the monks of the aforementioned monastery, as soon as it can be done, so that the monks of the chapters of other monasteries of no diocese of the Order of Saint Benedict may be bound by and enjoy these. Furthermore, for the sustenance of the Abbot, the chapter, and the seminary, and for the expenses of divine worship and pious works, we

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assign revenues and goods to the monastery.

[*Latin ed. p. 292*]

292 Acta Apostolicae Sedis - The official record, which Saint Peter possesses and enjoys at Muenster, and which he will continue to possess and enjoy in the future. We expressly reserve for Ourselves and the Apostolic See the power to freely determine any division or new circumscription of the aforementioned abbey, as We deem fit. Furthermore, We desire that the esteemed Michael Ott, the present Abbot of the monastery of Saint Peter at Muenster, be and remain the first Abbot of the newly established abbey of nullius. We also decree that he, before taking possession of the aforementioned abbey of nullius, must, in the presence of any Catholic bishop whom he may prefer, receive the grace and communion of the Apostolic See, make a profession of the Catholic faith, and take the customary oath, according to the formulas annexed to these Letters, and that he must, along with the aforementioned bishop, be entirely obligated to send, within six months, copies of these documents, duly signed and sealed by the Abbot and the aforementioned bishop, to the Apostolic Chancery. For this purpose, We entrust to the bishop chosen by the Abbot the duty, in Our name and in the name of the Roman Church, of receiving the aforementioned profession and oath. Moreover, We declare that these present Letters and all that they contain, even if any interested party or those who presume to have an interest should not have been heard or should not have agreed to the aforementioned, even if they are worthy of express, specific, and individual mention, shall never be deemed to be subject to any flaw of surreptition, or prevarication, or nullity, or of Our intention, or by any other means, even a substantial and unforeseen defect; but that they, as having been made and issued with full knowledge and authority, shall always remain valid and shall have and obtain their full and complete effect, and shall be inviolably observed by all to whom they apply; and if, contrary to this, anything should happen to be attempted concerning these matters, knowingly or unknowingly, by anyone, We will and do decree that it shall be entirely void and of no effect. Therefore, with the matters arranged as above, We appoint the venerable brother Peter De Maria, titular Archbishop of Iconium and Apostolic Delegate in the territory of Canada and Novae, to carry out all of the aforementioned, and We grant him the necessary and appropriate powers, including the power to delegate, to any person holding an ecclesiastical office, to carry out the aforementioned purpose, and also to definitively decide on any difficulty or opposition that may arise in the execution thereof, with the obligation, however, to send a duly authenticated copy of the completed execution to the Sacred Congregation Consistorial within six months, so that it may be preserved

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in the archives of the aforementioned Sacred Congregation.

[*Latin ed. p. 293*]

293 The Acts of Pope Benedict XV. Notwithstanding the rules established in synodal, provincial, general, and universal Councils, special or general Apostolic constitutions and ordinances, and any other dispositions of Our predecessors, the Roman Pontiffs, and all other contrary things whatsoever. We will and command that, after these Letters have been transcribed, even printed, but nevertheless signed by the hand of a public notary and secured with the seal of a man constituted in ecclesiastical dignity, the same faith be given to them as would be given to these Our Letters if they were exhibited or shown. Therefore, it is not permitted to anyone to infringe or contradict these Our Letters of dissolution, erection, decree, mandate, derogation, and will. If anyone, with rash audacity, should presume to attempt this, let him know that he will incur the indignation of Almighty God, and of the blessed Apostles Peter and Paul, His Apostles. Given at Rome, at Saint Peter's, in the year of Our Lord nineteen hundred and twenty-one, on the sixth day of the month of May, in the seventh year of Our Pontificate.

% C. CARD. DE LAI, Bishop of Sabina.

O. CARD. CAGIANO, Secretary of the Sacred Consistorial Congregation.

S. B. E. Cancellarius.

Raphaël Ludovicus Loco Plumbi.

Registered in the Apostolic Registry, Volume XXI, number 59.

Virili, Protonotary Schüller, Apostolic.

Apostolic Protonotary.

[*Latin ed. p. 294*]

Acta Apostolicae Sedis - Official Commentary on the APOSTOLIC LETTER; I. THE APOSTOLIC PREFECTURE OF SAINT LEON OF THE AMAZON IS ERECTED INTO AN APOSTOLIC VICARIATE WITH CHANGED BOUNDARIES. BENEDICT PP. XV. For the sake of posterity. — That these things may proceed well, prosperously, and happily for the Catholic name and for the eternal salvation of the faithful, We are reminded by the supreme office of the apostolate, which We exercise in the world, albeit undeservedly, by divine appointment. Indeed, since the Apostolic Prefecture of Saint Leon of the Amazon, not long ago established by the Apostolic See, has already brought about very happy advances in the Catholic cause, and the city of Iquitos, the capital, not only boasts a large population and prosperity, but also a commendable number and fervor of Catholics; We have considered it fitting to extend the scope of the same mission through its erection into an Apostolic Vicariate, and to bestow upon it the higher character of an episcopal pastorate. Wherefore,

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after consultations with the Most Reverend Fathers, Cardinals Prefects of the Congregation for the Propagation of the Faith, and after carefully considering all the circumstances, We erect the aforementioned Apostolic Prefecture of Saint Leon of the Amazon into an Apostolic Vicariate. We retain the name Saint Leon of the Amazon for this new Apostolic Vicariate, and We change its boundaries in such a way that, on the one hand, they are expanded by the addition of the entire territory of the Prefecture of Putumayo, and on the other hand, they are restricted by the removal from the same mission of those regions which extend along the Marañon River and its direct and indirect tributaries, within the territory of the Republic of Peru, up to the rivers Huncway and Ancutiyo, from which regions We intend to establish a new Apostolic Prefecture. These things We decree, establishing these present Letters as firm, valid, and efficacious, and We declare that they shall always remain and endure, and shall have their full and complete effect and obtain their intended purpose, and that they shall be most fully supported by those to whom they pertain or may pertain, now and in the future; and that it shall be rightly judged and determined, and that everything to the contrary shall be null and void from now on, if anyone, with any authority whatsoever, knowingly or unknowingly, should attempt to do otherwise in these matters. Notwithstanding, as may be necessary, according to Our own and the regulations of the Apostolic Chancery.

[*Latin ed. p. 295*]

Acta Benedicti PP. XV, 295, concerning a matter of law, without invalidating it, and other Apostolic constitutions and ordinances, and all other things whatsoever that may be contrary to it. Given in Rome, at Saint Peter's, under the Fisherman's ring, on the 22nd day of February, 1921, in the seventh year of Our Pontificate.

P. • CARD. GASPARRI, Secretary of State.

NEW APOSTOLIC PREFECTURE ERECTED IN HONOR OF SAINT GABRIEL, THE ARCHANGEL.

BENEDICT PP. XV.

For the sake of future remembrance.

— Seated in the sublime chair of the Prince of the Apostles, as if in the highest watchtower, We direct the eyes of Our mind to all parts of the Catholic world, and We especially look towards those regions which, separated by a long expanse of land and sea from this venerable City, are in need of the preachers of the faith of Christ. Guided by this counsel, so that We might more effectively provide assistance to the Indian tribes who, in the vast regions of the Amazon, seek the most desired goods of faith and humanity in their most miserable condition, We have decided to erect a new

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Apostolic Prefecture there and to send other heralds of the Gospel there, according to the command of the Lord, who says: "Going therefore, teach ye all nations." Wherefore, after having consulted with Our Most Reverend Fathers, Cardinals, Prefects of the Congregation for the Propagation of the Faith, and after having carefully and diligently considered all matters pertaining to the case, by Our Apostolic authority, by the tenor of the present document, We divide and detach from the ancient Prefecture of Saint Leo of the Amazon the regions which extend around the river Marañon, or the Upper Amazon, and its direct and indirect tributaries, within the limits of the Republic of Peru, and up to the rivers Huncway and Aneutiyo. From these regions thus detached or separated, We form and establish a new Apostolic Prefecture, named in honor of Saint Gabriel, the Archangel of Marañon, and We entrust it to the Congregation of the Passion of Our Lord Jesus Christ. We decree that these present Letters shall always remain valid and effective, and shall have their full and complete effect and obtain it, and that they shall most amply benefit those to whom they pertain, or may pertain, now and in the future; and that it shall be rightly judged and determined that whatever is contrary to them shall be null and void from now on.

[*Latin ed. p. 296*]

"296 Acta Apostolicae Sedis - Official Commentary concerning these matters, should anyone, with any authority, knowingly or unknowingly, attempt to alter them. Notwithstanding, in order that this may be, Our regulations and those of the Apostolic Chancery regarding matters of law are not to be disregarded, nor are other Apostolic constitutions and ordinances, nor any other things whatsoever to the contrary. Given in Rome, at Saint Peter's, under the Fisherman's Ring, on the 27th of February, 1921, in the seventh year of Our Pontificate. P. CARD. GASPARRI, Prefect of the Secretariat of State.

III. MISSIONS OF THE VICARIATE APOSTOLIC OF ANHALT. INCORPORATED INTO THE DIOCESE OF PADERBORN.

BENEDICT XV.

For the sake of the future memory of this matter.

The divine office of supreme apostleship, entrusted to Us, requires that We diligently strive to accomplish those things which contribute to the good of religion and the increase of faith. Indeed, desiring that the missions of the Vicariate Apostolic of Anhalt may prosper spiritually, which, for the present, are under the administration of the Bishop of Paderborn, and having carefully considered the report of the venerable brother Charles Joseph Schulte, already Bishop of Paderborn, and other related matters, with the Most Reverend and Most Excellent Cardinals, Prefects of the Congregation

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for the Propagation of the Faith, We have deemed it fitting to decree the following, in order that the administration of these sacred affairs may be better arranged in those regions. Namely, by Our Apostolic authority, by the tenor of the present document, the missions of the Vicariate Apostolic of Anhalt are incorporated into the Diocese of Paderborn, so that they shall henceforth be a part of that same diocese, under the jurisdiction of the Ordinary of Paderborn.

We decree these present Letters to be always firm, valid, and efficacious, and to have and obtain their full and complete effect: and to those to whom they pertain, or may pertain, now and in the future, they shall be of the greatest benefit; and it shall be rightly judged and defined, and rendered void from this moment and null, if anything contrary to these should, by anyone, with any authority, knowingly or unknowingly, be attempted. Notwithstanding all things to the contrary.

Given in Rome, at Saint Peter's, under the Fisherman's Ring, on the 1st of March, 1921, in the seventh year of Our Pontificate.

P. CARD. GASPARRI, Prefect of the Secretariat of State."

[*Latin ed. p. 297*]

Acta of Pope Benedict XV, 297, IV, A.

In the Vicariate Apostolic of Kasai Superior, a portion of the territory is separated and added to the neighboring Apostolic Prefecture of Koango.

BENEDICT XV, Pope. For the sake of posterity. – From this sublime Chair of the Prince of the Apostles, though not through our own merits, but by divine appointment, we turn the eyes of our mind to all parts of the Catholic world, and with diligent study, we deliberate on matters that may contribute to the growth of the Christian name and the salvation of souls. Therefore, when the venerable brother Augustine Declerq, Apostolic Vicar of Kasai Superior, requested that a portion of the territory of his mission, situated to the left of the Loango River, be ceded to the neighboring Apostolic Prefecture of Koango, and with this request, our beloved son Stanislaus de Vos, Apostolic Prefect, readily agreed, after having consulted with the Most Reverend Fathers, Cardinals, Prefects of the Congregation for the Propagation of the Faith, we considered it fitting and desirable to grant these requests, in order that the progress of the Christian faith in the aforementioned territory may be suitably provided for.

Therefore, by our Apostolic authority, by the tenor of these presents, we separate a portion of the territory of the Vicariate Apostolic of Kasai Superior, situated to the left of the Loango River, and we cede it to the neighboring Apostolic Prefecture of Koango.

We decree that these present Letters shall always remain valid and effective, and shall have their full and complete effect and obtain it, for those to whom they pertain, or who may pertain to them in the future, now and for

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all time, and that they shall be duly judged and defined, and that anything to the contrary, attempted by anyone, knowingly or unknowingly, with any authority whatsoever, shall be declared void and of no effect from this moment.

Notwithstanding any contrary provisions.

Given at Rome, near Saint Peter's, under the Fisherman's Ring, on the 1st of March, 1921, in the seventh year of our pontificate.

[Signed]

P. CARD. GASPARRI, Secretary of State.

ACTA, vol. XIII, n. 8. – 18-6-1921.

[*Latin ed. p. 298*]

298 Acta Apostolicae Sedis - Official Commentary

V. The Plenary Indulgence, Granted Repeatedly in the Chapel of the Porziuncola near Assisi, is Extended to All and Each Day of the Year.

BENEDICT XV, for the perpetual memory of the matter. — It is most clearly established that the church of the Holy Angels near Assisi, which Our Predecessor, Pope Pius X, raised to the dignity of a patriarchal basilica, can rightly and deservedly be counted among the most important sanctuaries, not only of Italy, but of the entire Catholic world. For it is said that in the fourth century, when Liberius held the Chair of Peter, a small chapel was first erected there by certain pious pilgrims, who, having brought from Palestine a fragment of the tomb of the Virgin Mother, deposited it there; this small building, in honor of the Assumption of the Virgin Mother, took the name of the Holy Mary of the Angels. Afterwards, when Benedict, the patriarch of the Western monks, offered a small plot of land to the sacred chapel, it came to be called the "Porziuncula," from the small portion. This sacred chapel has been venerated by the inhabitants of the surrounding countryside and towns, and especially by the citizens of Assisi, for centuries, who have sought the grace of the Virgin in thanksgiving to God. It is said that Pica, the mother of the holy Francis, obtained there the grace of motherhood. Therefore, from his early years, Francis cultivated the chapel of the Porziuncula with singular piety, and later, having become poor for Christ, he loved that humble building, and there he laid the foundations of the Order of the Minorites, and wrote that rule which Innocent III, Our Predecessor, approved, having been divinely guided by a vision. There, Clara, a noble virgin of Assisi, renouncing the world, put on the humble habit of Francis, and founded the family of the nuns of the Second Order. From there also originated that third Franciscan Order, to which We have given a name. In the church of the Holy Mary of the Angels, or of the Porziuncula, the first assemblies of the General Chapter of the Franciscan Order were held; and from there also arose the most famous Indulgence of the Porziuncula, which Francis obtained from the Lord Christ, through the

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intercession of the Virgin Mother, for the spiritual salvation of the Christian people, in the year of Our Lord 1226. Indeed, as tradition recounts and as the history of the Franciscan Order narrates, the same Saint, aided by the patronage of the Mother, whose help he had implored, with fervent prayers, asked Christ Jesus that He might grant to all those who entered that church forgiveness and remission of all sins, after they had made confession to a priest. He responded to him.

[*Latin ed. p. 299*]

Acta Benedicti PP. XV 299. Dominus voluit hoc, et imperavit ut ad Vicarium suum iret et, nomine eius, hanc indulgentiam postularet. Auditum, Franciscus se contulit ad Perusiam, et Honorius III, qui illo tempore regimen Ecclesiae Sanctae gerebat, aperuit mandatum divinum, addens haec verba: "Placeat Sanctitati Vestrae, non annos, sed animas." Perturbatus Honorius: "Quid ergo petis, Francisce?" Respondit: "Volo, si 'placeat Sanctitati Vestrae, quod quicumque venerint ad hanc ecclesiam, confessi et contriti, et, sicut convenit, per sacerdotem absoluti, absolvantur a poena et culpa a die baptismatis usque ad diem et horam intrusionis in ecclesia supradicta." Tunc Pontifex: "Multa petis, Francisce," et, perculsus novitate rei, respondit quod modus lucrandi talem indulgentiam non esset consentaneus consuetudini Romanae Curiae. Sed Sanctus: "Domine, quod peto, non ex parte mea, sed ex parte illius peto, qui me misit, Dominus Jesus Christus." Et Papa statim annuit, ter dicens: "Placet mihi quod tu habeas." Haec est origo indulgentiae, et narratio miranda patet quod prima concessio Nostri Praedecessoris fuit amplissima, id est, libera, perpetua, nullo temporis limite circumscripta. Tamen, sicut ipsi historici docent, postea, gravibus causis suadentibus, praecipue promulgatione Cruciatae, idem Honorius coarctavit tempus lucrandi eamdem indulgentiam ad spatium unius diei naturalis, nempe ab primis vesperis Kalendarum Augusti mensis ad occasum solis diei sequentis. Haec vero limitatio temporis non semper immutata permansit per saecula. Antequam Romani Pontifices, Nostri Praedecessores, dignati sunt plenariam indulgentiam, quotannis, in ecclesia Portiunculae dumtaxat, lucrandam die secunda mensis Augusti, extendere, primum ad omnes ecclesias primi Ordinis, deinde ad illas Ordinis secundi, nempe monialium, tandem ad eas quoque tertii Ordinis Franciscalis, ubique terrarum sitas, non defuerunt exempla, eiusdem Sanctae Sedis gratia, in nonnullis aliis ecclesiis has indulgencias ad instar Portiunculae ad totam octavam alicuius festi fuisse productas. Poteratne stricta ad unum diem limitatio servari tantummodo in templo Sanctae Mariae Angelorum, unde indulgentia ipsa manaverat, in universum orbem christianum? Quare factum est, ut vetustissima consuetudo, iam inde a saeculo XIII et praesertim exeunte XV ac XVI ineunte saeculo, invaluerit in populo, ingrediendi et egrediendi ex aedicula Portiunculae pluries eodem die, pro lucranda indulgentia plenaria, et

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praesertim die commemorationis omnium fidelium defunctorum, pro rite piandis tam salutari indulgentia in Purgatorio igne detentis animabus. Inde ingens populi concursus omnibus potioribus anni festivitatibus ad indulgencias acquirendas, et peramplum ac celeberrimum.

[*Latin ed. p. 300*]

300 Acta Apostolicae Sedis - Official Commentary: The temple at Porziuncola, with its small chapel, has often been seen to accommodate the large number of faithful who come from afar. Furthermore, whether the limitation imposed by Honorius should be strictly observed, and whether the Indulgence of the Porziuncola is valid for the interior chapel of the temple of the Blessed Virgin Mary of the Angels, and whether it could also be rightfully obtained on other days of the year, besides the single day mentioned above, has been debated for a long time in the Roman Curia, and continues to be so even to our time. However, Our Predecessors, the Roman Pontiffs, who, often led by piety, have visited the sanctuary of the Porziuncola, have not hesitated to offer benevolent favors to the Franciscan family. Indeed, they have enriched that church with new and special privileges; especially Paul III Farnese, who in the year 1544, while conversing with the Minor Friars in the Perugian monastery near the well of Saint Aegidius, was asked by the monastery's own Vicar what he thought about the custom that had prevailed from time immemorial, of granting Indulgences of the Porziuncola in the chapel of the temple of the Angels every day of the year, and not just once a year. He replied that he believed this to be the case, and that in order to completely dispel any doubt, he considered the custom itself to be pious, and that, with the full authority of the Holy See, he would fully confirm it. There are certain testimonies, which are preserved in the Franciscan archives, that confirm this concession, made by the living voice of that oracle; among these is the grave testimony of Massei Bardi, a religious of the Order of the Minor Friars, and later Bishop of Clusium, who affirmed under oath that he was present at the conversation and heard the words of Our Predecessor. It is also worth noting, as historians report, that Pope Clement XII, although established in the Papacy, deigned to maintain the patronage of the Franciscan Order, and, after hearing the favorable opinion of Cardinals Pico and Passeri, came to the decision to confirm, with letters sealed with lead, the granting of the Indulgence of the Porziuncola to the faithful who come to the church of the Angels on any day of the year; but, due to the subsequent death of the Pope, the matter remained unresolved. Innocent XII also granted a plenary Indulgence, perpetually, every day, to the temple of the Blessed Virgin Mary of the Angels in the year 1696. We ourselves, in the year 1916, in the seventh year after the publication of the same plenary Indulgence in the Assisi chapel of the Blessed Virgin Mary of the Angels of the Porziuncola, when the Minister General of the Order of the Minor Friars offered suppliant prayers that We would

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deign to recognize the tradition that had prevailed in their Order, as We have already mentioned, of granting the aforementioned Indulgence in the same chapel on each day of the year as often as they made pious vows, We did not hesitate, and until new studies on this matter were undertaken, We temporarily extended the concession of that Indulgence for one year.

[*Latin ed. p. 301*]

Acta Benedicti PP. XV 301. Now, having carefully and diligently considered all the circumstances of the matter, and having been approached with an earnest request by the General Minister, who seized upon this auspicious occasion, commemorating the happy completion of seven centuries since the publication of the Indulgence, We, remembering the Indulgence of the Porziuncola, as the Venerable Cardinal Robert Bellarmine wrote, which confirms three Catholic dogmas, one concerning Indulgences, another concerning the Supreme Pontiff, and a third concerning Confession, and wishing to give assent to these sentiments as far as it is possible in the Lord, We have decided to recognize and, with supreme Apostolic authority, to establish and perpetuate the Indulgence announced for the chapel of the Porziuncola; We are pleased to do so. And because, at the request of Saint Francis, Christ Himself granted a plenary Indulgence, but only through the ministry of His Vicar, the Supreme Pontiff, and only to those who, having expiated their sins through contrition and Confession, visit that church; and because the reasons for the original limitation have long since ceased to exist, and all difficulties and doubts have been removed, We, abolishing all temporal restrictions, are pleased to implement, at this time, what was first pleasing to Christ and to Francis. Therefore, having heard and approved the proposal of Our beloved son, Oreste, Cardinal Giorgi, Major Penitentiary, Patron of the Order of the Friars Minor, and Our Legate for the Patriarchal Basilica of Santa Maria degli Angeli in the Porziuncola, and confident in the mercy of Almighty God and in the authority of the Apostles Peter and Paul, We confirm and establish, and We sanction, the custom that has prevailed from time immemorial, as We have already said, in the church of the Porziuncola, granting the same Indulgence on other days of the year, besides the one designated by Pope Honorius, with all limitations removed; or, if it should be necessary, We grant a complete remission. Thus, in the future, both men and women may, not only on the day of August, but on every day of the year, if, having been properly reconciled through sacramental Confession, they visit not the Patriarchal Basilica of Santa Maria degli Angeli, in which, on no day of the month of August, such an Indulgence is in effect, but the chapel of the Porziuncola itself, they may, each time they enter that chapel with a contrite heart, obtain a plenary remission of all their sins. However, so that this singular grace may remain entirely unique and may especially illuminate that most holy place, We expressly decree and command that

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this extension of the Indulgence of the Porziuncola to every day of the year in no way pertain to, or extend to, any other churches of the Order of the Friars Minor. Finally, in order to perpetuate the memory of this auspicious event, We wish that in the Roman Breviary, in the Sixth Reading of the Dedication of the church of the Porziuncola, explicit mention be made of this recognition or new concession.

[*Latin ed. p. 302*]

Acts of the Apostolic See – Official Commentary. We declare that these present Letters of Ours shall always remain firm, valid, and efficacious, and shall produce and obtain their full and complete effects, and that they shall, now and forever, fully and perpetually support those to whom they pertain or may pertain, and that they shall be duly judged and defined, and that whatever is contrary to them shall be declared null and void from this moment, if anything should happen to be attempted against these things by anyone, with any authority, knowingly or unknowingly. Notwithstanding all Apostolic constitutions and ordinances, and all other things, even those deserving of special and individual mention and derogation, to the contrary. Given in Rome, at Saint Peter's, under the Fisherman's Ring, on the sixteenth day of the month of April, in the year 1921, the seventh of Our Pontificate. P. CARD. GASPARRI, Secretary of State.

BY THE APOSTOLIC UNION OF PRIESTS IN PARIS, A PRIMARY ORGANIZATION IS ESTABLISHED OR CONFIRMED, AND IT IS ENDOWED WITH INDULGENCES AND SPIRITUAL GRACES. BENEDICT XV. For the perpetual memory of this matter.

Following in the footsteps of Our Predecessor Roman Pontiffs, We strive to increase and enrich pious Societies established for the exercise of works of piety and charity, from which Christian souls may derive spiritual benefits, with special honors, privileges, and graces, as the need and time require. Among these, We have clearly and justly deemed it necessary to promote the Apostolic Union of secular priests, under the patronage of the Most Sacred Heart of Jesus. This Society, first established in France in the year 1862, with the aim of strengthening and preserving the unity of the clergy, with universal principles and through appropriate works of charity, and with a uniform way of life, so that its members, scattered throughout the Christian world, might be bound together by the bond of fraternal love, and with the approval, indeed, the favor, of the local Ordinaries, has, in the space of sixty years, with God's help, experienced such growth that it now extends to numerous dioceses throughout the Christian world, and is flourishing wonderfully, not only in Europe, but also in both North and South America, in Australasia, in Cochinchina, in the Orient, and in other distant regions, bearing abundant fruits of piety and sanctity. Our Predecessor Roman Pontiffs, Pius IX, Leo XIII, and recently, Our Predecessor, Pope Pius X, have publicly and repeatedly spoken of the aforementioned

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Union.

[*Latin ed. p. 303*]

The acts of Pope Benedict XV, page 303, do not hesitate to praise and commend, and to increase and enrich with numerous indulgences and privileges. Now, however, when the esteemed son of the present Moderator General of the Union, Aloysius Lamerand, has, in order that the Mother Association and its branches may be promoted more and more each day, and that they may be governed by appropriate laws, according to the newly published Code of Canon Law, urged us with fervent pleas, we have, as far as necessary, decided to grant that the same Mother Association may be raised to the rank of a Primary [organization] for the entire Catholic world; we, recalling the singular merits for the sacred cause with which the Union itself is commended, have readily and willingly approved of this. Therefore, after consultations with the Most Reverend and Most Reverend Cardinals, Prefects of the Congregation for interpreting the decrees of the Council of Trent, and with the authority of the Holy See (so that all ambiguities in the matter may be completely removed), we hereby, with our apostolic authority, remove all defects that may have occurred up to this day concerning the erection, aggregation, and affiliation of the Apostolic Union of priests, its permanent seat being established in the chapel of Saint-Denis in the Basilica of the Most Sacred Heart of Jesus on Mountmartre in Paris, and, by our own authority, in the presence of witnesses and for all time, we establish it as a Primary [organization] for the entire Catholic world, so that it may truly be and be considered a Mother Association and a legal entity, with all the legal rights and privileges pertaining to it. Furthermore, we grant to the Moderator and officials, present and future, of the aforementioned Union, by the tenor of these presents and by our apostolic authority, the power to legitimately incorporate into it all other Unions of the same name and institution, whether already established or to be established in the future, throughout the world, observing the form of the constitution of Pope Clement VIII, our predecessor of blessed memory, and other apostolic constitutions issued above, and to communicate to them all the indulgences and spiritual graces granted to the Primary Union by the Holy See, provided that they may communicate with each other. Moreover, since the Moderator General of the same Union has also humbly petitioned us to make some changes to certain indulgences which our predecessor, Pope Pius X, granted to the same Union through similar apostolic letters dated December 28, 1903, sealed with the Fisherman's ring, and to add some privileges and spiritual graces; we, after hearing the Cardinal Prefect of the Holy Roman Church for Penitence, have decreed the following: Namely, confident in the mercy of Almighty God and in the authority of the blessed Apostles Peter and Paul, we grant to all and each priest who shall join the aforementioned pious Union in the future, on the

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day that...

[*Latin ed. p. 304*]

304 Acta Apostolicae Sedis - Furthermore, if, on the very day that they are admitted to the same Association, and likewise on the day when, having completed their novitiate, they make their profession, they simultaneously, with true contrition and confession, celebrate the holy Sacrifice of the Mass, and for a certain period of time offer devout prayers to God for the concord of Christian princes, the extirpation of heresies, the conversion of sinners, and the exaltation of the holy Mother Church, we grant them, respectively, a plenary indulgence; and to all priests who are inscribed in this Union, as well as to those who are to be inscribed in the future, we grant that, in each annual meeting, whether general, national, or diocesan, according to the rules of the Union, by reciting the act of consecration to the Most Sacred Heart of Jesus: "Domine Iesu Redemptor," together with the act of consecration to the Blessed Virgin: "Ad te uno animo," and by performing the other prescribed acts of piety, they may obtain a plenary indulgence. Moreover, we mercifully grant the remission of all their sins in the Lord. As often as the inscribed priests recite the same acts, at least with a contrite heart, in the spiritual meetings of this Union, which are usually held within the month, they shall gain, for seven years and forty days. And as often as they recite the act of consecration to the Virgin with a contrite heart, we shall remove from their number three hundred days of penance, as is customary in the Church. Also, on the day when the feast of the Most Sacred Heart of Jesus, the titular feast of this Union, is celebrated each year, we grant a plenary indulgence to the members of this Apostolic Union who have duly performed the prescribed acts of piety; and to the same members, we grant a partial remission of one hundred days, which was granted to them by the Blessed Pope Pius X through Apostolic Letters, as mentioned above, whenever they devote themselves to this pious work, both for the members and for other priests who are engaged in the same pious work, we change it into a plenary indulgence through Our benevolence, provided that they duly perform the acts of piety prescribed for obtaining plenary indulgences. Furthermore, we wish that the privilege of the personal altar, which has already been granted three times a week by Our Predecessor, be extended to four days a week for the members. Moreover, we grant to the members of the Apostolic Union, both present and future, the faculty of attaching the indulgence called "as often as" to the crucifixes, and of attaching the indulgences of the Order of Preachers (excluding the indulgences proper to the faithful enrolled in the Rosary Confraternity) to the Rosaries, and we also permanently extend the application of the indulgences called the "Crusaders' Indulgences" to the Rosaries. Finally, when the same General Moderator requests, for all the priests who are members of the Apostolic Union, the faculty of blessing and bestowing five

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scapulars under a single formula; We, having received the aforementioned petitions presented to Us by the Most Reverend Cardinal Prefect of the Congregation for Sacred Rites, grant to the priests who are members of this Apostolic Union, both present and future, provided that...

[*Latin ed. p. 305*]

The acts of Pope Benedict XV, number 305, state: "That all faculties may be properly endowed, we grant perpetual permission to bless and bestow the Scapulars properly, using a single formula, and furthermore, by virtue of the great gathering of the faithful, during times of pilgrimage or missions, to bless these same Scapulars in a collective manner, with the dispensation to record the names of individuals inscribed, as often as it is prescribed for certain Scapulars. We decree that those associated with the aforementioned [institution] may, if they wish, obtain through these plenary and partial indulgences, the remission of the faults and penalties of their life. We decree that these present letters shall always remain firm, valid, and efficacious, and shall fully and completely produce and obtain their effects, and that those associated with this pious Union, established by Us now and in the future, shall fully contribute to it; and that it shall be rightly judged and defined, and that it shall be declared null and void from this moment and forever, if anything contrary to these should occur, knowingly or unknowingly, by anyone, with any authority whatsoever. We also decree that all the conditions previously mentioned in the letters of Our Predecessor shall be religiously observed. We wish that to these present letters, or copies thereof, even printed ones, signed by the hand of a public notary and bearing the seal of a person in ecclesiastical dignity or office, the same faith be given as would be given to the present letters if they were exhibited or shown. Notwithstanding any contrary provisions. Given in Rome, at St. Peter's, under the Fisherman's ring, on the 17th of April, 1921, in the seventh year of Our pontificate. P. CARD. GASPARRI, Secretary of State. VII. THE SANCTUARY OF THE BLESSED VIRGIN MARY OF MERCY IS HONORED WITH THE TITLE AND PRIVILEGES OF A BASILICA MINOR IN THE DIOCESE OF MACERATA. BENEDICT PP. XV. For the perpetual memory of this event. — In the year of Our Lord 1447, when a deadly plague afflicted the citizens of the city of Macerata, they invoked the Virgin Mary, under the title of Mercy, as the patroness of the city, and in her honor, they built a small building, as a vow and in thanksgiving for the city having been spared from the contagion; which, with the passage of the centuries, was enlarged, and in the year 1742, by the architect Aloysius Vanvitelli, was rebuilt from the foundations, with a magnificent structure and dimensions no less remarkable, through the

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skill of art."

[*Latin ed. p. 306*]

306 Acta Apostolicae Sedis - Official Commentary. Adorned with ornaments, it has arisen. Above the altar, which is dedicated in honor of the Blessed Virgin Mary of Mercy by the Merciful God, there is a renowned image of the Virgin Mary, celebrated for the miracles of the Virgin herself, which is devoutly venerated by citizens and visitors, and by faithful who come from afar. To this sacred image, in the year 1496, the municipal authorities presented a silver crown; and on the 24th of August, in the year 1721, by decree of the Patriarchal Chapter of the Vatican Basilica, a golden diadem was bestowed and placed upon it. Our Predecessor, Pope Pius IX, in the year 1852, ratified the election of the Blessed Virgin of Mercy as the principal Patroness of the diocese and city of Macerata, and with the highest Apostolic authority, confirmed her and enriched her with all the customary privileges. In this same sanctuary, the splendor of divine worship and the frequency of the faithful are abundantly evident, both through the abundant and rich furnishings with which the sacred building itself is adorned, and through the sacred rites and ceremonies, as well as the privileges and indulgences granted to it by Our Predecessors, the Roman Pontiffs. There are also many sacred relics, and the body of Saint Prosper, the martyr, which is placed beneath the altar of the Blessed Virgin Mary of Mercy. Remembering these things, when the current Priors and members of the canonically erected Confraternity of the Most Holy Trinity, in the aforementioned temple or sanctuary of the Virgin of Mercy, implored us with fervent prayers, and when the representatives of both Chapters of Macerata, namely the cathedral and collegiate churches, also expressed their desire that, as the bicentennial anniversary of the coronation of the renowned image approaches, we might deem it fitting to elevate the aforementioned sanctuary to the rank of a minor basilica; and to these prayers and requests were added the most fervent support of the venerable brothers John Tacci, titular Archbishop of Nicaea and Prefect of Our Apostolic Palace, and Dominic Pasi, Bishop of Macerata and Tolentino, We considered it Our duty to readily and willingly grant their wishes. Therefore, after consulting with the Most Reverend Fathers, Our Cardinals, Prefects of the Congregation of Sacred Rites, by Our Apostolic authority, We hereby elevate the church or sanctuary of the Blessed Virgin Mary of Mercy, the principal Patroness of the city and diocese of Macerata, to the title and dignity of a minor basilica, with all the honors and privileges that pertain to the minor basilicas of this esteemed city. We decree that these present letters shall always remain valid and effective, and shall have their full and complete effect and obtain their intended purpose, for those to whom they apply, now and in the future, and that it shall be considered and judged to be rightly so, and that anything to the contrary shall be null and void from

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this moment forward.

[*Latin ed. p. 307*]

Acta Benedicti PP. XV, 307: This [document] may, by any means, whether knowingly or unknowingly, be altered by anyone. Notwithstanding any contrary provisions. Given in Rome, at Saint Peter's, on the twenty-first day of April, 1921, in the seventh year of Our Pontificate. P. CARD. GASPARRI, Secretary of State.

LETTER TO THE MOST REVEREND LORDS, JOSEPH CARDINAL FRANCICA NAVA, ARCHBISHOP OF CATANENSEM, AND ALEXANDER CARDINAL LUALDT, ARCHBISHOP OF PANORMITANUM, AND TO OTHER ARCHBISHOPS AND BISHOPS OF SICILY: CONGRATULATIONS ON THE HAPPY OUTCOME OF THE PLENARY COUNCIL.

Beloved sons and venerable brothers, greetings and the apostolic blessing.

It was fitting, indeed, for your piety and for Ours, that you, before the Plenary Council of Sicily concluded, jointly addressed Us with most affectionate letters, so that you might reverently express both your faith in the Vicar of Jesus Christ and the zeal for souls with which you are aflame. For the entire flock, entrusted to Our care for the sake of the apostolic ministry, We desire nothing more than that which may contribute to the good of each diocese. And it is certainly not doubtful that your assembly will bring forth joyful fruits of salvation; not only because the wise laws of the Church are adapted more suitably to the changing circumstances of the times, but also because the people of Sicily, with the clergy leading the way, have always responded admirably to the prudence of their sacred pastors. We, who wished to be present among you during the deliberations through Our Legate, Cardinal Caietan De Lai, now, after the Council has been held, gladly approve of all that you have commonly learned, and We are confident that, with religion increased in the august Hearts of Jesus and Mary, to which indeed We consecrated your flocks not long ago, the sanctity of Christian life will flourish in this place, with which the prosperity of any region is happily joined.

May the apostolic blessing, a pledge of the most important works and of Our supreme benevolence, be a sign to you, beloved sons and venerable brothers, and to the entire clergy and people among you, which We impart with a heartfelt spirit.

Given in Rome, at Saint Peter's, on the twentieth day of January, 1921, in the seventh year of Our Pontificate.

BENEDICT XV, POPE.

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[*Latin ed. p. 308*]

308 Acta Apostolicae Sedis - Official Commentary

ACTS OF THE HOLY CONGREGATIONS

SACRED CONGREGATION OF THE CONSISTORY

I. PAGENS - CONCERNING THE MUTATION OF THE BOUNDARIES

DECREE

The Provincial Commissary and the Fathers of the Order of Saint Francis in the city of La Paz, recently petitioned the Apostolic See, requesting that two missions, commonly known as Covendo and Saint Anne, which currently belong to the Diocese of Pacens, be united to the Apostolic Vicariate of Beni. Since the cause of the petition was found to be just through a legitimate process, and the Vicar Capitular of Pacens himself deemed it expedient for the care of souls, and the Delegate for the execution of the affairs of the Holy See in the Republic of Bolivia recommended the matter, Our Holy Father Benedict XV, favorably heard the prayers. Therefore, with the full authority of the Apostolic power, the missions commonly known as Covendo and Saint Anne, and their territories, together with all and each person residing therein, are separated from the Diocese of Pacens and detached therefrom, and are added to and incorporated into the Apostolic Vicariate of Beni. To carry out the execution of this, the Reverend Father Doctor Titus Trocchi, titular Archbishop of Lacedaemonia, Apostolic Delegate in the Republic of Bolivia, is appointed, and he is granted the necessary and appropriate powers, including the power to delegate any man constituted in ecclesiastical dignity, to fulfill the aforementioned purpose, with the obligation of sending to this Sacred Congregation, within six months, to be counted from the present time, an authentic copy of the execution completed.

[*Latin ed. p. 309*]

309 The Sacred Congregation of the Consistory, concerning these matters, ordered that a consistorial decree be issued, which shall have the same force as if Apostolic Letters had been promulgated under the papal seal. Notwithstanding any contrary provisions. Given in Rome, from the offices of the Sacred Congregation of the Consistory, on the 20th of May, 1921. Signed: G. CARD. DE L A I, Bishop of Sabina, Secretary. L. S. Aloysius Sincero, Assistant.

TO THE PONTIFICIAL COLLEGE OF PRIESTS FOR ITALIANS EMI-

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GRATING ABROAD – dated the 13th.

NOTIFICATION. The College of Priests, which was established by Pope Pius X in March of 1914 through his own initiative, and which has been restored with great generosity by His Holiness Benedict XV, has opened its doors at "Via della Scrofa, n. 70," to receive Italian priests who intend to dedicate themselves to providing spiritual assistance to Italians who emigrate to foreign regions.

The principal laws of the College are as follows:

1. The purpose of the College is to prepare young priests to properly and religiously educate and assist Italians in foreign lands. Therefore, only priests who possess the virtues of mind and spirit, who are of suitable age, who enjoy good health, and who possess other qualities suitable for achieving this purpose shall be admitted to the College.

2. The Supreme President of the College shall be the Prelate for Italians emigrating abroad. Three priests, chosen individually, one by the Eminence Cardinal Secretary of the Sacred Congregation, another by the Eminence Cardinal Vicar of the City, and the third by the Prelate for Italians emigrating abroad, shall perform the same functions as the Deputies for Seminaries.

3. The Prelate, as the supreme director of the College, with the approval of the Eminence Cardinal Secretary of the Sacred Congregation and the Eminence Cardinal Vicar, shall choose a priest who shall perform the duties of Rector of the College; and it shall be his duty to govern the College according to the laws and customs of Rectors of Seminaries.

[*Latin ed. p. 310*]

310 Acta Apostolicae Sedis - Commentarium Officiale 4. Acceptatio cuiusvis sacerdotis pertinebit ad Praelatum pro Italis ad externa emigrantibus, qui, praesertim, informationes de vita et moribus eiusdem sacerdotis ab Ordinario eius quaerat; et eos tantum in Collegio recipiat, qui conditionibus praeditis sint in art. 1 recensitis. 5. Sacerdotes qui in Collegio recipi cupiunt, petitionem scriptam Praelato pro Italis ad externa emigrantibus exhibere debent, qua indicentur uniuscuiusque patria, dioecesis, aetas, curriculum studiorum, officia quibusquisque in dioecesi functus sit, aliaque requisita. 6. Statim ac aliquis sacerdos ingressus fuerit, Emum Cardinalem Urbis Vicarium certiorem faciet. 7. Alumni poterunt regionem indicare, nisi malint munere fungi pro emigrantibus. Morem tamen gerent moderatoribus, qui aliter, iustis de causis, statuendum censuerint. 8. Ordinaria mansio in Collegio erit unius anni, a medio Octobris ad mensem Iulium anni insequentis. Quod temporis spatium iustis de causis in singulis casibus poterit prorogari. 9. Alumni quartoquoque mense examen studiorum faciunt intra domum, quo suum in disciplinis progressum ostendant, et si quis deficiens

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inveniatur, poterit ad propriam dioecesim remitti. 10. Alumni qui, quavis de causa, existimabuntur non idonei ad munus emigrantes adiuvandi, poterunt Praelato supremo Collegii moderatore dimitti, iique dimissi Romae consistere prohibentur, sed in dioecesim suam redire debebunt. 11. Disciplinae institutionis et studii erunt: a) linguae exterae: anglica, hispanica, lusitana, teutonica, iuxta regiones ad quas potissimum alumnus destinatur; b) iurisprudentia civilis, mores et consuetudines locorum iuxta idem criterium; c) disciplina apologetica et pastoralis; d) sacra liturgia et cantus ecclesiasticus; e) elementa habendi et reddendi rationes; f) elementa hygienis et medicinae. 12. Sacerdotes, Collegii alumni, dum in Urbe manent, subiecti erunt Emo Cardinali Vicario; et, quoad interiorem disciplinam, Praelato et Rectori. 13. Exacto tirocinio, mittentur ad exteras regiones ad Italos emigratos aliosque, si opus sit, iuvandos, initis prius tractationibus inter locorum Ordinarios et Praelatum Collegii Praesidem, et cum debito Sacrae Congregationis Consistorialis rescripto.

[*Latin ed. p. 311*]

Section S. of the Consistorial Congregation, 14. The mission will continue regularly for ten years; and during this time, the priests, both with regard to ecclesiastical discipline and the correction of morals, and also with regard to the care of souls, will be subject to the local Ordinary according to the common law. However, they will report to the Prelate for Italians who have emigrated abroad concerning themselves and their affairs. 15. The priests, whether while residing in the College in the City, or while engaged in a mission in a foreign region, do not lose their connection with their Ordinary in Italy; unless, that is, they are incorporated into a foreign diocese, with the rights that must be observed by law. 16. After completing ten years of the mission, the priests may return to their diocese in Italy; or, having obtained the appropriate permissions from the Sacred Consistorial Congregation, they may remain where they are. Those returning will not be received by the Ordinary as strangers, but as their own and deserving men, who have striven to preserve the faith and piety among the Italian people in foreign lands, and who, therefore, have benefited their diocese of origin, at least indirectly, and sometimes even directly. Therefore, a just consideration will be given to them whenever matters concerning duties and offices, or benefices, are discussed. The Prelate for Italians who have emigrated abroad is the Reverend Father Michael Gerrati, titular Bishop of Lydda. 4 * * * The College already has a number of students, although it has only been equipped with buildings for a few months. Therefore, the Ordinaries, especially those of both Americas, who require a few priests for the benefit of the Italians residing among them, may request them either from the Sacred Consistorial Congregation, or directly from the Prelate in charge of this College. Given in Rome, from the offices of the Sacred Consistorial Congregation, on the 26th of May, 1921. Signed: C. CARD. DE

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LALAI, Bishop of Sabina, Secretary. L. F. Aloisius Sincero, Assistant.

[*Latin ed. p. 312*]

312 Age of the Apostolic See - Official Commentary III PROVISIONS OF THE CHURCH. His Holiness Pope Benedict XV, through a decree of the Sacred Consistory issued on June 9, 1921, appointed the Most Reverend Felicissimo Cribellati, a priest of the diocese of Tortona, from the Congregation of the Sons of the Divine Providence, as Bishop to the cathedrals of Nicotera and Tropea, which are perpetually and canonically united.

SACRED CONGREGATION FOR RELIGIOUS ORDERS. RULES ACCORDING TO WHICH THE SACRED CONGREGATION FOR RELIGIOUS ORDERS USES TO PROCEED IN APPROVING NEW RELIGIOUS CONGREGATIONS.

* PROEMIUM. 1. This brief code of rules is nothing other than the previous section of the rules for approving religious institutes of simple vows, which was published by the authority of the Sacred Congregation, etc., in the year 1901, but adapted to the new universal code of canon law. Indeed, the second section of the rules, after the promulgation of the Code, no longer seems necessary, since the authors of constitutions must have the canons concerning religious orders before their eyes, and they can consult approved authors who have written about religious orders after the aforementioned rules of the Sacred Congregation, etc., were published.

2. As the new rules retain the title of the old ones, so too do they the same twofold purpose: a) to ensure that a certain established practice is followed in approving new religious congregations and their constitutions; b) to provide local Ordinaries and the Superiors of the congregations themselves with the documents and information necessary to transmit to the Sacred Congregation, so that such matters of approval may be expedited more easily and quickly.

* No one is permitted to publish translations of these rules into other languages without the permission of the Holy See.

[*Latin ed. p. 313*]

313 Sacred Congregation for Religious Orders. CHAPTER Concerning the Various Degrees of Approval of Religious Congregations. 3. Whenever a Bishop, according to canon 492 § 1, judges it opportune to found a new religious congregation of simple vows, and the matter is still in its initial stages, he shall approach the Sacred Congregation for Religious Orders, clearly explaining to it those things which are necessary, so that the aforementioned Sacred Congregation may maturely judge the opportunity for the new foundation. 4. He shall, above all, explain who is the author of the new congregation and for what reason he is led to found it; with what words the concept for founding the congregation is expressed, namely its name or title; what is the form, color, and material of the habit to be worn

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by the novices and professed; how many and what works the congregation will undertake; with what resources the maintenance of the same will be sustained; whether there are similar congregations in the diocese, and with what works they are concerned. 5. Once the license has been obtained, nothing will prevent the founding of the new congregation. However, the congregation thus founded will be of diocesan jurisdiction; and therefore, even after its foundation, although it may spread to several dioceses over time, it will still lack the testimony of papal approval or commendation, and, according to canon 492 § 2, it will remain diocesan, completely subject to the jurisdiction of the Ordinary, according to the norms of law. 6. Decree of Commendation. This is the first act by which the Holy See intervenes in the work of a new congregation, so that it ceases to be simply diocesan. Through this act, the Sacred Congregation for Religious Orders, after a preliminary account of the foundation of the new religious institute, its title, purpose, vows, form of government, and the authority of the Supreme Moderator, concludes: "Our Holy Father N..., having considered the letters of commendation from the Ordinaries, whose dioceses contain houses of the Institute in question, highly praises and commends the Institute itself, as a religious congregation under the government of a General Moderator, according to the tenor of the present Decree; saving the jurisdiction of the Ordinaries according to the norms of the sacred canons." 7. This decree of commendation is granted if, after the lapse of a suitable time from the initial foundation, the new congregation has sufficiently spread and has produced fruits of piety, religious observance, and spiritual benefit; of which it must be ascertained through testimonial letters from the Ordinaries, in whose dioceses or territories the congregation has houses or a house. ACTA, vol. XIII, n. 8. — 18-6-911. 22

[*Latin ed. p. 314*]

314 Acta Apostolicae Sedis - Official Commentary 8. In order to obtain the decree of praise, the following documents must be presented to the Sacred Congregation: a) a petition to the Supreme Pontiff, signed by the Supreme Moderator and by his Assistants or Consultors; b) testimonial letters from the Ordinaries concerning the matters mentioned above (cf. art. 7); these letters must be signed and sent under seal; c) a report signed by the Supreme Moderator and by his Assistants or Consultors, and confirmed as authentic and truthful by the Bishop of the diocese where the Congregation is to be praised, in which is explained not only the origin of the Congregation, along with the name of its founder and his principal qualities, but also its personal, disciplinary, material, and economic status, with the addition of information about the institution of the novitiate, the number and discipline of the novices and postulants; d) Constitutions recognized and approved by the Bishop, written in either Latin, Italian, or French, and printed; e) finally, if it concerns a Congregation of tertiaries

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living in common, also a testimony from the General Moderator of the first Order, attesting that it has been incorporated into the same first Order, according to canon 492 § 1. 9. Decree of Approval. The decree of approval is granted to a new Congregation if, after the granting of the decree of praise, its firm structure, the suitability of its constitutions, the diligent observance thereof, the proper administration, the zeal of the religious in maintaining discipline within the bond of charity, and the dedication to fulfilling the works proper to its Religion, are proven through a sufficiently long period of time. 10. It is necessary that proof of the aforementioned conditions be provided both from the report on the status of the Congregation, which, as described above in art. 8 c), the Supreme Moderator must present along with the petition to obtain the approval; and also from the letters of recommendation, which must be provided again, as stated above, by all Ordinaries in whose territories a house of the new Religious is located; and finally, from the code of constitutions, which must again be presented to the Sacred Congregation. 11. By this second decree, of which we are speaking: "His Holiness, attentive to the salutary fruits produced by the Religious Congregation N..., and considering..., approves and confirms it under the governance of the General Moderator; saving the jurisdiction of the Ordinaries according to the norms of the sacred canons." 12. Although a suitable period of time, as mentioned above (cf. art. 9), is usually required between the decree of praise and the decree of approval, sometimes, although rarely, the decree of definitive approval is granted.

[*Latin ed. p. 315*]

Sacred Congregation of Religious, 315: "It is decreed that this [decree] precedes the praise [to be given]. This indeed happens, if the conditions in favor of a new Religious Institute, when it first appears before the Sacred Congregation, are so completely fulfilled in every respect, that no reason seems to remain for further delaying the definitive approval."

CHAPTER: Concerning Congregations which ought to be cautiously, or II, in no way, praised and approved.

13. Almost no Congregations, unless perhaps in mission territories, will be praised or approved, which do not, with a certain and proper end, undertake any works of universal piety and beneficence, even if these are entirely distinct from one another.

14. The utmost caution must be exercised in approving new Congregations which subsist only from alms and stipends collected from door to door. To those approved, faithful observance of canons 622, 623, and 624 must be instilled.

15. It is not easily approved, especially those with perpetual vows, new Congregations of religious women, which propose as their end the daily and nightly care of the sick of both sexes in private homes, or the daily domestic service in the families of the poor and workers. If, however, approval

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should ever seem to be granted for just reasons, conditions and precautions must be prudently prescribed in the constitutions, by which the Sisters may be protected from dangers.

16. Likewise, approval is not easily granted to Congregations of women, which establish a special purpose for themselves: a) to establish in their houses infirmaries or boarding houses for persons of both sexes; b) to establish hospices for priests; c) to teach in schools for young people, or in those which are called mixed, in which, indeed, boys and girls are gathered together.

17. Much less are approved Congregations which would propose to themselves the immediate care of infants wandering in cradles, or of women in labor in homes, commonly called "Maternities," or other similar works of charity, which seem unbecoming to virgins dedicated to God and clothed in religious habit.

18. Finally, it must be noted that no Religious Institute of men, according to canon 500 § 3, can have subordinate to it religious Congregations of women, or retain for itself the special care and direction of such women.

[*Latin ed. p. 316*]

316 Acta Apostolicae Sedis - Official Commentary

CHAPTER

Concerning the Approval of Constitutions

19. To obtain the approval of the constitutions, a petition, signed by the Supreme Moderator with his Assistants or Advisors, must be presented to the Sacred Congregation responsible for the affairs of Religious Orders, together with the code of constitutions, a report, and letters of recommendation, as stated above, in articles 8 b), c), d) and 10.

20. The following steps are generally followed in approving constitutions:

a) Delay with observations. Indeed, if, after examination, it is found that the constitutions require many corrections, the requested approval is postponed to a more opportune time, and in the meantime, observations are communicated, indicating those things which should be especially corrected, reformed, added, or removed in the presented constitutions.

b) Provisional approval. If the presented constitutions appear to be sufficiently sound in time and use, and are not subject to numerous or serious objections, an official correction is made to the text; and a decree is issued whereby the Most Holy Father provisionally approves and confirms the constitutions, as they are contained in the corrected copy, for a certain period, for example, for seven years, as a trial.

c) Definitive approval. Finally, when the trial period has sufficiently elapsed, the code of constitutions, which now requires only minor amendments, is completely corrected, and a decree is issued whereby

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the Most Holy Father definitively approves and confirms the constitutions.

21. What has been described above concerning the approval of constitutions is often combined with the approval of the Congregation in the following manner:

a) Sometimes, along with a decree of praise from the Congregation, appropriate observations are given on a sheet of paper concerning the constitutions, with a deadline for the submission of the amended constitutions to the Sacred Congregation; however, if they require many amendments, these are communicated to the Congregation before the decree of praise is granted; so that, in either case, all right to change or amend the constitutions by one's own authority is considered to be forfeited after the decree of praise has been received;

b) Regularly, the approval of the Congregation is granted, along with a decree in which the constitutions, amended in text, are approved, at least for the purpose of a trial, for a certain period.

[*Latin ed. p. 317*]

Sacred Congregation for Religious Orders

CHAPTER: On Matters to be Omitted

317 IV. The following are to be omitted from the text of the constitutions:

a) Prefaces, introductions, preambles, historical notes, letters of exhortation or praise, except for decrees of praise and approval granted by the Holy See;

b) Citations of texts from Holy Scripture, Councils, the Saints, Fathers, theologians, and any books or authors;

c) Citations of provisions, whether from a particular directory, a private ceremonial or manual, or any code of customs or usages of the Congregation, lest these books or codes appear to be approved; although such books should be sent to the Sacred Congregation, so that it may become properly informed about them;

d) Any mention of civil laws, civil ordinances, governmental approval, and the like;

e) All matters pertaining to the duties and offices of Bishops and confessors: for these are not written for religious, but for others;

f) The curriculum of studies and rules of life for students, and detailed schedules of daily activities for houses and institutions of the Congregation;

g) Questions of dogmatic or moral theology, decisions on disputed doctrines, especially in matters concerning vows;

h) Terms of canon law that cannot be applied to religious congregations; for example, Rule, Order, Monastery, Nuns, etc.; in their place, it should be said respectively: Constitutions, Religious Congregation, or Religious Vow

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of Simplicity, House, Sisters, etc.;

i) Although brief documents on spiritual and religious life are appropriate, longer ascetic instructions, spiritual exhortations, and mystical considerations are to be excluded, as these are more appropriately treated in ascetic books: since the constitutions should contain only the constitutive laws of the Congregation and directives for the activities of the community, whether pertaining to governance or to discipline and the norm of life;

k) Extremely detailed prescriptions concerning secondary and minor offices, pertaining to the kitchen, infirmary, clothing, etc.

[*Latin ed. p. 318*]

318 Acta Apostolicae Sedis - Official Commentary, etc.: since these do not detract in any way from the gravity of the texts of the constitutions approved by the Holy Apostolic See; I) finally, any dispositions of any kind which, either explicitly or implicitly, contain something contrary to law. CHAPTER General Provisions in Constitutions, Article 23. The code of constitutions must contain those things which pertain to notions and dispositions: a) concerning the nature, vows, members, and manner of life of a religious Congregation; b) concerning the government, administration, and offices of the Congregation. 24. All of these may be divided into two, three, or four parts, but brevity, clarity, and the best order are highly recommended. 25. Constitutions are to be divided into parts, parts into chapters, chapters into articles or paragraphs; these are to be preceded by numbers progressing from the beginning to the end. CHAPTER Special Provisions concerning Title, Article 26. The title or name of a religious Congregation may be taken either from the attributes of God, or from the mysteries of our Holy Religion, or from the feasts of the Lord and the Most Blessed Virgin Mary, or from the Saints, or from the special purpose of the Congregation itself. 27. In order that new Congregations do not use the name or title of a religious Congregation already established, it is already provided for in canon 492 § 3. Therefore, in order to satisfy this provision, new religious Congregations must add at least something to a title already approved, so that the distinction between the individual Congregations may be sufficiently apparent. 28. It must also be taken care that the titles of religious Congregations are neither too artificially composed, nor do they express or suggest any form of devotion not approved by the Holy Apostolic See. DECREE His Most Holy Lord Benedict, by Divine Providence, Pope XV, granted an audience on March 6, 1921, to the Reverend Father, Secretary of the Sacred Congregation for Religious, after hearing the opinions of the Most Eminent and Reverend.

[*Latin ed. p. 319*]

319 The Holy Congregation of Religious, composed of the most Reverend Cardinals and those Cardinals presiding over the same Holy Congre-

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gation, approved the aforementioned Norms, to be observed by the same Holy Congregation. Given in Rome, from the Secretariat of the Holy Congregation concerning the affairs of Religious Congregations, on the 6th of March, 1921. TH. CARD. VALERE DI BONZO, Prefect. L. © S. Maurus M. Serafini, Abbot, O.S.B., Secretary.

HOLY CONGREGATION FOR SEMINARIES AND CATHOLIC UNIVERSITIES

IN VARSAVIA.

THE CATHOLIC FACULTY OF ECCLESIASTICAL SCIENCES IS CANONICALLY ESTABLISHED WITH THE RIGHT TO CONFER THREE DEGREES.

DECREE:

The ecclesiastical academy in Varsavia, unjustly suppressed some years ago, had been a primary concern of the Archbishop and the Bishops of that province, who earnestly desired that, as soon as possible, a faculty for teaching ecclesiastical sciences be established in the city of Varsavia itself. Therefore, in a meeting held on the 10th and 13th of January of the year 1916, they decided to found a theological faculty within the civil University of Varsavia, which had recently been established, through common deliberation; subsequently, after Poland was restored to its rightful place, they discussed the same matter in a meeting held on the 11th and 12th of December of the year 1917; and finally, in the year 1919, they petitioned the Apostolic See to have the aforementioned Faculty, encompassing Sacred Theology, Canon Law, and Christian Philosophy, canonically established, and to enjoy the privileges to which such institutions are rightfully entitled.

The Holy Congregation for Seminaries and Catholic Universities, with due diligence, considered this matter, and the Most Reverend Cardinals of the same Holy Congregation, in a plenary meeting held on the 30th of March, 1920, decreed the establishment of the theological faculty...

[*Latin ed. p. 320*]

320 Acta Apostolicae Sedis - The official record, concerning the decree by which the Faculty of Catholic ecclesiastical sciences was canonically established within the University of Cattolica. The following day, after the deliberation of the Most Reverend Fathers, as reported by the undersigned secretary of the Sacred Congregation, His Holiness Pope Benedict XV approved and ordered the execution of the aforementioned decree. Therefore, the aforementioned Faculty of Catholic ecclesiastical sciences within the University of Cattolica is canonically established, as decreed, and is declared to be established, and to its Dean is granted, for all time,

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the right to confer the triple doctorate, namely in Sacred Theology, in Canon Law, and in Christian Philosophy, according to the law that a doctorate and the title of "doctor" may only be conferred upon those who have previously attained the required degrees, having demonstrated their knowledge through legitimate examinations. All norms and prescriptions of the Apostolic See shall be observed, to which the Archbishop of Cattolica shall diligently adhere. Given at Rome, from the Secretariat of the Sacred Congregation for Seminaries and Universities, on the fourth day of April, on the feast of the Resurrection of the Lord, in the year 1920. CARD. BIFSLER, Prefect. L. % S. f I. SINIBALDI, Episcopal Vicar of Tiberias, Secretary. II LUBLIN. THE CATHOLIC UNIVERSITY IS CANONICALLY ESTABLISHED IN LUBLIN, AND ITS OPERATION IS PERMITTED. STATUTES. The Decree. All the Bishops of Polonia, in their assemblies on the twenty-sixth and twenty-seventh days of July of the year 1918, decreed the immediate establishment of a Catholic University in Lublin, as soon as circumstances permitted. Therefore, they petitioned the Apostolic See that a Catholic University might be established, which, in the meantime, would exist with two Faculties, namely of Sacred Theology and of Canon Law, and that its schools would be opened to students as soon as possible. The matter having been presented to the Sacred Congregation for Seminaries and Universities, the Most Reverend Cardinals, in a meeting held on the first day of April of the year 1919, judged that a Catholic University should be established.

[*Latin ed. p. 321*]

8. The Congregation for Seminaries and for Universities of Studies decreed that two Faculties, as mentioned above, should be established immediately, prescribing that suitable statutes, in accordance with the order of studies, should be drawn up. These statutes were recently sent to the Sacred Congregation for Seminaries, along with a petition, requesting that the Catholic University of Lublin be canonically erected. And in a plenary session held on June 15th of the current year, 1920, the same Most Reverend Fathers decreed that the Catholic University of Lublin should be canonically erected, with the faculty of conferring degrees for a period of three years. Furthermore, they decided that the statutes, with appropriate amendments, could be used for a period of three years, as a trial. The decision of the Most Reverend Fathers, as reported by the undersigned Secretary of the Holy Congregation, was approved by His Holiness Pope Benedict XV, who ordered that it be put into effect. Therefore, the Catholic University of Lublin, temporarily consisting of two Faculties, namely Sacred Theology and Canon Law, is hereby erected and declared to be erected, with all the privileges that such institutions, dependent on the Apostolic See, enjoy by right, and the Chancellor is granted the right to confer degrees and honors, either in Sacred Theology or in Canon Law, according

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to the law, so that doctorates cannot be conferred except upon those who have previously obtained the required degrees, having demonstrated their knowledge through legitimate examinations. All norms and prescriptions of the Apostolic See are to be observed. Given in Rome, from the Secretariat of the Sacred Congregation for Seminaries and Universities of Studies, on July 25th, on the feast of Saint James, in the year 1920. C. CARD. BISLBI, Prefect. L. © S. f I. Sinibaldi, Bishop of Tiberias, Secretary. III. CANONICALLY ERECTED CATHOLIC UNIVERSITY, NAMED AFTER THE MOST HOLY HEART OF JESUS, ERECTED IN MILAN. DECREE. The Archbishop of Milan, His Eminence Andrew S. R. E. Cardinal Ferrari, informed the Sacred Congregation for Seminaries and Universities, by letter dated May 30th of the current year, of a group of distinguished men, for the purpose of establishing a Catholic University in Milan.

[*Latin ed. p. 322*]

322 Acta Apostolicae Sedis - Official Commentary. It was established in Lodi, requesting that the Apostolic See approve its undertaking with its authority. Therefore, in a plenary session held on August 4th, the Most Reverend Fathers Cardinals of this Sacred Congregation, and the most noble council, having considered the merits in Lodi, decreed that the statutes and regulations of the same Sacred Congregation be submitted for approval. This was accomplished by the Most Reverend Archbishop of Milan, through letters dated November 16th of the preceding year. Then, His Holiness Pope Benedict XV, having fully understood and carefully considered the matter, ordered that a decree of erection be issued by this Holy Congregation, so that the pious Prelate would not lack this highest comfort. Therefore, the Catholic University, which, under the auspices of the Most Sacred Heart of Jesus, bears its name, and currently consists of two Faculties, namely the philosophical and the juridical, is established and declared to be established in Milan, with all the privileges with which institutions of this kind, dependent on the Apostolic See, are lawfully endowed. Subject to the norms and prescriptions of the Apostolic See. Given in Rome, from the Secretariat of the Sacred Congregation for Seminaries and Universities, on December 25th, on the feast of the Nativity of the Lord, in the year 1920. C. CARD. BISLETI, Prefect. L. S. F. I. Sinibaldi, Bishop of Tiberias, Secretary.

[*Latin ed. p. 323*]

Diarium Romanae Curiae

DIARY OF THE ROMAN CURIA

SACRED CONGREGATION OF RELIGIOUS ORDERS

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NOTICE OF COMPETITION

In the Secretariat of the Sacred Congregation of Religious Orders, on the coming 21st of July, at 8 o'clock in the morning, there will be a competition consisting of a written examination for two positions of minor officials. Those who wish to participate must, within one month from the date of this notice, present to the Most Reverend Cardinal Prefect a request accompanied by the authorization of their Ordinary and of the Most Reverend Cardinal Vicar of His Holiness, and also by documents of ecclesiastical studies completed and academic degrees obtained, as well as other qualifications. Special consideration will be given to knowledge of foreign languages.

Rome, from the Secretariat of the Sacred Congregation of Religious Orders, 13th of June, 1921.

L. & S. Mauro M. Serafini, Abbot, O.S.B., Secretary.

SACRED CONGREGATION OF RITES

On Tuesday, the 31st of May, 1921, in the Vatican Apostolic Palace, with the participation of the Most Reverend and Most Reverend Lords Cardinals, and with the votes of the Most Reverend Prelates and Theological Consultors, who comprise the Sacred Congregation of Rites, the Preparatory Congregation was held to discuss the doubt concerning the heroism of the virtues exercised by the Venerable Servant of God, Joanna Antida Thouret, foundress of the Institute of the Sisters of Charity.

[*Latin ed. p. 324*]

In the *Acta Apostolicae Sedis* – the Official Commentary of the SECRETARY OF STATE, under the title "By Tickets of the Secretary of State," the Holy Father has deigned to appoint: May 25, 1921. Monsignor Lorenzo Lauri, titular Archbishop of Ephesus, until now Apostolic Nuncio in Peru, Apostolic Nuncio in Poland. Monsignor Tito Trocchi, titular Archbishop of Lacedaemonia, until now Apostolic Delegate of Cuba and Puerto Rico, Apostolic Internuncio in Bolivia. Monsignor Francesco Moretti, titular Archbishop of Laodicea, Auditor of the Reverend Apostolic Chamber, Consultor of the Holy Congregation of the Council and of the Holy Congregation for Seminaries and Universities. May 27. Monsignor Giuseppe Petrelli, titular Archbishop of Nisibi, until now Apostolic Delegate in the Philippine Islands, Apostolic Nuncio in Peru. May 30. The Most Reverend Cardinal Gennaro Granito Pignatelli di Belmonte, Protector of the Poor Clares of Versailles (currently at Spy, in the diocese of Namur). Monsignor Filippo Cortesi, Apostolic Nuncio to the United States of Venezuela. May 31. The Most Reverend Cardinal Oreste Giorgi, Protector of the Institute of the Hermanas Terciarias Misioneras Franciscanas of Cordoba (Strasbourg). June 4. The Reverend Fathers Edoardo Schröder S.I., Doroteo Gornelisse, O.F.M., and Filippo Maroto of the Sons of the

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Immaculate Heart of Mary, Consultors of the Holy Congregation for the Propagation of the Faith. June 9. The Most Reverend Cardinal Basilio Pompilj, Protector of the Institute of the Sisters of Mercy. Monsignor Aldo Laghi, Secretary of a Nunciature of the first class. June 11. Monsignor Francesco Bracci, Promoter of Justice at the Tribunal of the Holy See. June 15. The Most Reverend Cardinal Vittorio Amedeo Ranuzzi de Bianchi, Protector of the Institute of the Ladies Ursuline of the Sacred Heart.

[*Latin ed. p. 325*]

From the Roman Curia Diary, June 16, 1921, number 325. His Excellency, Monsignor Pietro Fumasoni-Boidi, titular Archbishop of Dioclea, Secretary of the Holy Congregation for the Propagation of the Faith. His Excellency, Monsignor Riccardo Sanz de Sampere, Major Domo of His Holiness and Prefect of the Sacred Palaces of the Apostolic See. His Excellency, Monsignor Camillo Caccia-Dominioni, Master of the Sacred Household of His Holiness.

SACRED CONGREGATIONS ASSIGNED TO THE NEW CARDINALS:

By means of notes from the Secretariat of State, the Holy Father has deigned to assign the following Sacred Congregations to the new Most Reverend and Most Reverend Lords Cardinals, who, in the public Consistory held on the 16th of the current month, received the cardinal's hat:

To the Most Reverend Cardinal Francesco Ragonesi, the Sacred Congregations of the Council, of Religious Orders, of Extraordinary Ecclesiastical Affairs, and of the Reverend Fabric of Saint Peter.

To the Most Reverend Cardinal Giacomo Benlloch y Vivó, the Sacred Congregations of the Sacraments, of the Propagation of the Faith, of Ceremonies, and of Seminaries and Universities.

To the Most Reverend Cardinal Francesco Vidal y Barraquer, the Sacred Congregations of the Council, of Religious Orders, of Seminaries and Universities, and of the Reverend Fabric of Saint Peter.

To the Most Reverend Cardinal Giovanni Tacci, the Sacred Congregations of the Council, of Ceremonies, of Extraordinary Ecclesiastical Affairs, and for the Eastern Church.

To the Most Reverend Cardinal Achille Ratti, the Sacred Congregations of the Sacraments, of the Council, of Extraordinary Ecclesiastical Affairs, and of Seminaries and Universities.

To the Most Reverend Cardinal Camillo Laurenti, the Sacred Congregations of Religious Orders, of the Propagation of the Faith, of Rites, and of Seminaries and Universities.

By Apostolic Briefs, the Holy Father has deigned to appoint:

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Assistants to the Holy See:

May 22, 1921. Monsignor Paolo Iacuzio, Archbishop of Sorrento.

May 24. Monsignor Gustavo Carlo Mutel, Apostolic Vicar of Seoul in Korea.

June 8. Monsignor Pietro Luigi Muldoon, Bishop of Rockford.

[*Latin ed. p. 326*]

326 Acta Apostolicae Sedis - Official Commentary of the Apostolic Protonotary for the information of those present: March 18, April 30, May 17. » » 22 22 26 » » » » » 30, June 2. Reverend Monsignor Francesco Saverio De La Durantaye, of the Archdiocese of Montréal. Reverend Monsignor Angelo Ferrari, of the Archdiocese of Ferrara. Reverend Monsignor Augusto Leweille, of the Diocese of Meaux. Reverend Monsignor Maurizio Alfonso Bléry, of the same diocese. Reverend Monsignor Ubaldo Marchand, of the Diocese of Trois-Rivières. Reverend Monsignor Ludovico Chartier, of the same diocese. Reverend Monsignor Emerico Pisapia, of the Diocese of Ariano. Reverend Monsignor Armando Mignon, of the Diocese of Le Mans. Reverend Monsignor Augusto Boudinhon, of Rome. Reverend Monsignor Giovanni Meizlik, of the Archdiocese of Gorizia. Domestic Prelates of His Holiness: February 17, 1921. Reverend Monsignor Patrizio Francesco Farrelly, of the Diocese of Sioux City. May 2. » Reverend Monsignor Giuseppe Efrem Paquin, of the Diocese of Trois-Rivières. » » » Reverend Monsignor Giulio Massicatte, of the same diocese. May 24. » » Reverend Monsignor Antonio Pudichery, of the Apostolic Vicariate of Trichur. May 27. » » Reverend Monsignor Bernardo Giuseppe Eras, of Rome. June 1. » Reverend Monsignor Ermete Gini, of the Diocese of Acquapendente. June 2. » Reverend Monsignor Antonio H. Stein, of the Diocese of Newark. June 8. » Reverend Monsignor Nicola Santopaolo, of Rome. June 9. » Reverend Monsignor Enrico Ashmole, of the Diocese of Northampton. HONORS. With Apostolic Briefs, the Holy Father deigned to bestow the following honors: The Insignia of the Order of Pius: May 12, 1921. To the Right Honorable Count Cesare Caterini, of Rome. The Cross of the Order of Pius: June 1, 1921. To the Right Honorable Count Carlo Fiacchi, exempt from the Noble Guard. » » » To the Right Honorable Francesco Alessandroni Cermatori, exempt from the Noble Guard.

[*Latin ed. p. 327*]

Diarium Romanae Curiae 327. The Grand Cross of the Order of Saint Gregory the Great, civil class: May 30, 1921. To Mr. Giovanni Doulcet, Envoy Extraordinary and Minister Plenipotentiary of France, accredited to the Holy See.

June 10. To Mr. Marchese Carlo Maria Pagani Planea Incoronati, of Rome. The Plaque of the Order of Saint Gregory the Great, civil class: June 7, 1921.

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To Mr. Senator Armando Casier, of the diocese of Gand. The Commander of the Order of Saint Gregory the Great, civil class: May 15, 1921. To Mr. Ermanno Tibertelli, of the archdiocese of Ferrara.

June 18. To Mr. Cavaliere Vittorio Scabbia, of the same archdiocese. To Mr. Ludovico Filippo Normand, of the diocese of Trois-Rivières. To Mr. Carlo Numa De Blois, of the same diocese.

June 7. To Mr. Antonio Larue, of the archdiocese of Québec.

June 10. To Mr. Giovanni Battista Vigna, of the archdiocese of Genoa. The Knighthood of the Order of Saint Gregory the Great, civil class. May 22, 1921. To Mr. Giuseppe Barnard, of the diocese of Trois-Rivières.

May 25. To Mr. Ludovico Antonio Eguiguren, of the archdiocese of Lima.

May 26. To Mr. Massimo Reymond, of the diocese of Geneva and Lausanne. To Mr. Gaetano Ceola, of the diocese of Vicenza.

May 29. To Mr. Carlo Frencken, of the diocese of Breda.

June 2. To Mr. Enrico Goubet, of the archdiocese of Avignon. To Mr. Pietro Roux, of the same archdiocese. To Mr. Federico de Bonnet d'Oléon, of the same archdiocese.

June 6. To Mr. Pietro Jamin, of the diocese of Harlem.

June 8. To Mr. Francesco Piatti, of the diocese of Ripatransone.

June 10. To Mr. Avv. Giovanni Battista Borachià, of the diocese of Luni-Sarzana. The Knighthood of the Order of Saint Gregory the Great, military class: June 7, 1921. To Mr. Captain Patrizio Ugo Rice, of the diocese of Savannah. The Knighthood of the Order of Saint Sylvester the Pope: April 25, 1921. To Mr. Angelo Bottazzi, of the diocese of Padua.

[*Latin ed. p. 328*]

328 Acta Apostolicae Sedis - Official Commentary

MAGGIORDOMATO DI SUA SANTITÀ

BY ORDER OF HIS HOLINESS

The following individuals have been appointed by the Holy Father:

Secret Chamberlains, extraordinary:

May 18, 1921.

Most Reverend Monsignor Aurelio Motta, of the archdiocese of Vercelli.

May 25, Most Reverend Monsignor Angelo Piana, of the archdiocese of Genoa.

May 30, Most Reverend Monsignor Raffaele Aubray Navarro, of the diocese of Cadiz.

May 30, Most Reverend Monsignor Giovanni Tolosano, of the archdio-

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cese of Turin.

June 1, Most Reverend Monsignor Anselmo Rotzinger, of the Apostolic Vicariate of Saxony.

June 2, Most Reverend Monsignor Raffaello Maestrini, of the archdiocese of Florence.

June 8, Most Reverend Monsignor Antonio da Rosa Marques, of the archdiocese of Evora.

Secret Chamberlains of Sword and Cape, extraordinary:

April 12, 1921.

The Right Honorable Count Giovanni de Praschma, of the diocese of Breslau.

April 12, The Right Honorable Antonio de Magnis, of the same diocese.

May 3, The Right Honorable Cesareo Alvarez de la Rivera, of the diocese of Madrid.

June 9, The Right Honorable Count Enrico Gurties, of the diocese of Northampton.

June 11, The Right Honorable Ugo Herman, of the archdiocese of Colonia.

Honorary Chamberlains, wearing the peacock blue attire of His Holiness:

May 31, 1921.

Most Reverend Monsignor Domenico Tardini, of Rome.

June 2, Most Reverend Monsignor Filippo De Giorgi, of the archdiocese of Milan.

Honorary Secret Chamberlain of His Holiness:

May 31, 1921.

Most Reverend Monsignor Luigi Capossela (Rome).

NECROLOGY

June 3, 1921.

Most Reverend Monsignor Emanuele Giulio M. Marbeau, Bishop of Meaux.

June 6, Most Reverend Monsignor Giacomo Schwebach, Bishop of La Crosse.

[*Latin ed. p. 329*]

July 7, 1921. Year XIII - Vol. XIII. No. 9. ACTA APOSOLICAE SEDIS. OFFICIAL COMMENTARY. ACTS OF POPE BENEDICT XV. ENCYCLICAL LETTER TO PATRIARCHS, PRIMATES, ARCHBISHOPS, BISHOPS, AND OTHER ECCLESIASTICAL SUPERIORS, MAINTAINING PEACE AND COMMUNION WITH THE APOSTOLIC SEE, CONCERNING THE CELEBRATION OF THE SEVEN HUNDREDTH ANNIVERSARY OF THE

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DEATH OF SAINT DOMINIC.

BENEDICT XV, POPE. VENERABLE BROTHERS, GREETINGS AND APOSTOLIC BENEDICTION.

On a day most pleasing, when, seven hundred years ago, that light of sanctity, Dominic, departed from this world to the mansions of the blessed, it is our greatest joy, who have for a long time been devoted to the study of his life, and especially since we have assumed the governance of the Church of Bologna, which reverently guards his remains, to exhort the Christian people from this Apostolic Chair to celebrate the memory of this most holy man: by this, we not only satisfy our own piety, but we also seem to render a great service of gratitude to the lawgiver and to his illustrious family. For, as he was truly a man of God and a true Dominic, so too was the entire Holy Church, which has him as its most steadfast defender; and the Order of Preachers, founded by him, has always been a most distinguished support of the Roman Church. Therefore, not only on the days of the ACTA, vol. XIII, n. 9. — 7-7-1921. 23

[*Latin ed. p. 330*]

330 Acta Apostolicae Sedis - Commentarium Officiale 1. His verbis confirmatus, templum [suum] perpetuit, sed Dominicus consuluit: ut, quae Honorius III, approbante Ordine, dixit: « ... attendentes fratres ordinis tui futuros pugiles fidei et vera mundi lumina », ea quasi vates canisse videatur. Verum est, ut omnes sciant, ad propagandum Dei regnum, Iesus Christus nulli alio instrumento usus est, nisi praedicatione Evangelii, id est viva voce praeconum, qui caelestem doctrinam usquequaque diffunderent: "Docete omnes gentes," dicit, "Praedicate Evangelium omni creaturae." Itaque ex praedicatione Apostolorum, maximeque S. Pauli, quae Patribus deinde Doctoribus instituta et disciplina est secuta, factum est, ut mentes hominum veritatis lumine illustrentur, et animi virtutum omnium amorem conciperent. Hanc ipsam rationem adhibens ad animarum salutem, Dominicus hoc sibi et suis proposuit, tradere aliis contemplata; propterea, una cum officio, et paupertatem, et vitae innocentia, et religiosa disciplina colendi, sanctum et sollemnem iussit esse suo Ordini, sedulo incumbere in studia doctrinae et in praedicationem veritatis. Iam vero in dominicana praedicatione, haec tria eluxerunt, tamquam insignia: magna quaedam doctrinae soliditas, plenum fidelitatis erga Sedem Apostolicam obsequium, pietas in Virginem Matrem eximia. Quamvis enim Dominicus mature se natum sentiret ad praedicandum, tamen non id muneris suscepit, nisi cum in Palentino Athenaeo philosophiae ac theologiae multam dedisset operam, diuque in sanctorum Patrum studio versatus, iis ducibus atque magistris, Scripturae sacrae divitias, praecipueque Pauli, in suum tamquam succum et sanguinem converteret.

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2 3 1 2 3 Eccli. L, t. Matth. XXVIII, 19. Marc. XVI, 15.

[*Latin ed. p. 331*]

The acts of Pope Benedict XV, page 331, make it clear how valuable the knowledge of divine things was, shortly thereafter, in his discussions against heretics; whom, indeed, armed with all arts and deceptions to attack the dogmas of the Faith, he nevertheless wonderfully refuted and disproved. This was most evident in Toulouse, a city which at that time was the principal center and head of the heretics, where every learned opponent had gathered. It is recorded that he, along with his closest companions, through work and word, overcame the arrogance of the heretics; not only restraining their power, but also softening their hearts with eloquence and charity, so that a large number were brought back into the bosom of the Mother Church. To him, who was fighting for the Faith, God Himself was most present; so that, when, having accepted the condition that each heretic should deliver his book to the fire, all the others were burned, one of his own books remained untouched by the flame and inviolably preserved. Thus, through the power of Dominic, Europe was freed from the danger of the Albigensian heresy. And he ordered his own sons to be adorned with the praise of this solid doctrine. For, scarcely had his Order been approved by the Apostolic See, and it had been confirmed with the noble appellation of Preachers, he established his religious houses in places as close as possible to the most renowned universities, so that his students might more easily cultivate themselves in every branch of knowledge, and so that more from the ranks of those devoted to the liberal arts might join this new family. Thus, the Dominican institution from its very beginning presented itself as a distinguished mark of learning; and its own work and mission has always been to heal the various evils of error and to spread the light of the Christian faith, since nothing so much hinders eternal salvation as the ignorance of the truth and the perversity of opinions. It is therefore not surprising that this new force of the apostolate attracted the eyes and minds of all, since, as it conformed to the Gospel and the teachings of the Fathers, it was also commended by the abundance of all kinds of knowledge.

[*Latin ed. p. 332*]

332 Acta Apostolicae Sedis - Official Commentary. Indeed, the wisdom of God willed that the Dominicans should speak, for among them shone forth great heralds and defenders of Christian wisdom, such as Hyacinthus of Poland, Peter Martyr, Vincent Ferrerius, and also men of outstanding intellect and most excellent learning, such as Albertus Magnus, Raymundus de Peñafort, and Thomas Aquinas, by whom the Lord truly deigned to enlighten His Church. Therefore, this Order, always esteemed for its teaching of truth, has also rightly gained great praise, since the Church has declared the doctrine of Thomas to be its own, and has honored that Doctor

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with special commendations from the Pontiffs, making him a master of Catholic schools and a patron. And with this great zeal for preserving and defending the Faith, the Order of the Friars Preachers was united in its obedience to the Apostolic See. Thus, it is recorded that Innocentius III, upon arriving in Rome, dedicated himself to the defense of the Roman Pontificate, and that, on the following night, he saw in a dream the Basilica of the Lateran, its structure leaning, and that he understood that he must support it with his own shoulders. Furthermore, it is known from history that, when instructing his first students in the principles of his order, Dominic considered gathering a sacred militia from pious religious and lay people, which would defend the rights of the Church and bravely resist heresies. From this arose the Third Order of the Friars Preachers, which, by spreading a more perfect way of life among the laity, was destined to be a great ornament and defense to the Church. Having received this inheritance from the lawgiver, the Church has a close connection with this Order. Whenever, through the foolishness of men's minds, the Church has suffered, whether through the movements of the people or the injustices of princes, this Apostolic See has found in the Dominican brethren a timely and helpful aid, for they, undertaking the patronage of truth and justice, are always ready to...

[*Latin ed. p. 333*]

From the acts of Pope Benedict XV, page 333, we must preserve the splendor of his authority. For who is ignorant of how admirably that Dominican virgin, Catherine of Siena, acted in this regard? She, urged by the charity of Jesus Christ, overcame incredible difficulties and persuaded the Supreme Pontiff – which no one else could – to return to his Roman See after a lapse of seventy years; and furthermore, while the Western Church was torn by a grievous schism, she retained a large number of the faithful in faith and obedience to the legitimate Pontiff? And, let us omit the rest, it must not be overlooked that four Popes of great renown have emerged from the ranks of the Dominicans; among whom, the last, Saint Pius V, merited immortal glory for the cause of Christianity and civil affairs; who, with great insistence and encouragement, having joined the arms of the Catholic princes to his society, at the Echinades Islands, forever destroyed the power of the Turks, under the auspices and help of the Virgin Mother of God, whom he therefore henceforth ordered to be saluted as the "Help of Christians." In this, it is also clearly demonstrated what we have said exists as a third element in the preaching of the Dominicans: a most devoted piety towards the great Mother of God! For it is said that the Pope learned of the victory at Naupactus at that very time, while pious societies throughout the Catholic world were imploring the Most Holy Mary with the formula that the Founder himself had discovered, and which he subsequently, through his disciples, diligently spread far and wide. Indeed, the Blessed Virgin,

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whom he loved as a mother, and in whose protection he most confidently placed himself, Dominic undertook to defend the cause of the Faith. Therefore, against the Albigensian heretics, who, along with other tenets of the Faith, also reviled the divine motherhood and virginity of Mary with every kind of insult, he, defending the sanctity of these dogmas with all his might, invoked the help of the Virgin Mother herself, often using these very words: "Deign to allow me to praise you, sacred Virgin; grant me strength against your enemies."

[*Latin ed. p. 334*]

334 Acta Apostolicae Sedis - Official Commentary. How greatly, however, the Queen of Heaven esteems this most pious servant, it is easily understood from the fact that she employed his ministry to teach the most holy Rosary to the Church, the Bride of her Son: that prayer, which, with both voice and mind, is most fitting for contemplating the most important mysteries of religion, as the Our Father is repeated fifteen times, and likewise as many decades of the Salutations of Mary are recited, and is perfectly suited for fostering and promoting all piety and virtue. Therefore, Dominic rightly instructed his students that, when preaching the word of God to the people, they should diligently and frequently strive to impress upon the minds of the listeners this form of prayer, of which he had discovered the most profound usefulness. For he knew that Mary, on the one hand, possessed such authority with the Divine Son that she always administers and grants to men whatever graces they need, and, on the other hand, that she is of such a benevolent and merciful nature that, being accustomed to readily help the poor, she cannot refuse assistance to those who request it. And so, as the Church is accustomed to honor her, as the Mother of Grace and the Mother of Mercy, she has always experienced her thus, especially when the Rosary is used. For this reason, the Roman Pontiffs have never neglected an opportunity to extol the Rosary of Mary and to enrich it with the gifts of Apostolic Indulgences. Indeed, the opportunity for this institution – as you yourselves understand, venerable brothers – is no less opportune now than it was in the time of its Author. How many are there today who are deprived of the bread of life, that is, of heavenly doctrine, and are consumed by famine; how many, deceived by a false appearance, are turned away from the Faith by a great variety of errors: for the needs of all these, it is necessary that priests, by ministering the word of God, should provide fitting assistance, and that they themselves should be both eager for the salvation of others and truly instructed in the knowledge of divine things. How many also are there, ungrateful and forgetful children of the Church, who, through ignorance or malice, have turned away from

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the Vicar of Jesus Christ, whom it is necessary to...

[*Latin ed. p. 335*]

The Acts of Pope Benedict XV, number 33, concern the paternal office, and it is necessary to bring this matter forward. For, in order to remedy all kinds of evils of this age, we need the maternal protection of Mary! Therefore, the members of the Dominican sodality have almost an immense field in which they can strive most usefully for the common good. Therefore, we urge all those who belong to this discipline to renew their spirits in some way, according to the example of the most holy Founder, and to strive daily to be worthy of such a father. Indeed, among others in this regard, the sons of this Order, and those who afterwards join, will devote themselves more eagerly to such preaching of the divine word, so that, with obedience to the successor of the blessed Peter and piety towards the Virgin Mother, knowledge may increase and the protection of the truth may grow among the people. And the Church also expects much benefit from the members of the Dominican Third Order, if they have diligently striven to conform themselves to the spirit of their Patriarch, namely, by instructing the uneducated and inexperienced members of the Christian flock in the precepts of Christian doctrine. In this, we desire and hope that there may be many and constant individuals: for the matter concerns the greatest benefit for souls. Finally, we wish that this should be of particular concern to all the students of the Father Dominic, that the Christian people may become accustomed to the Rosary of Mary; which, following in the footsteps of Our predecessors, especially the blessed Pope Leo XIII, we have encouraged, and strongly urge, on every occasion, especially in these harsh times; and if this should happen successfully, we shall consider the celebration of this secular anniversary to have been very fruitful. In the meantime, as a witness of divine graces and benevolence, We impart to you, venerable brothers, and to your clergy and people, Our Apostolic blessing, most dearly in the Lord. Given in Rome, at Saint Peter's, on the twenty-ninth day of June, in the year 1921, in the seventh year of Our Pontificate. BENEDICT XV.

[*Latin ed. p. 336*]

336 Acta Apostolicae Sedis - Official Commentary

APOSTOLIC CONSTITUTION CONCERNING THE DIVISION AND ERECTION OF THE DIOCESE OF BELLOHORIZONTE

BENEDICT, BISHOP, SERVANT OF THE SERVANTS OF GOD,

FOR THE PERPETUAL MEMORY OF THIS EVENT,

Pastoral solicitude imposes upon Us the most diligent care that the ad-

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ministration of the Catholic world be suitably adapted to the needs of times and places. Therefore, We must be vigilant that the number of ecclesiastical circumscriptions in various regions be increased, as opportunity and, above all, the spiritual good of the faithful require.

Since, therefore, it is advisable to divide the Archdiocese of Marianna, which, by reason of its extent of territory and the frequency of its inhabitants, is among the largest, both in terms of souls and administration, We have decided to do so. Wherefore, after consulting Our most esteemed sons, the Cardinals of the Holy Roman Church, who preside over the Sacred Congregation for the Consistory, and after all necessary preparations have been completed, and with their consent, and with the power granted to Us and to the Holy See in Apostolic Letters sealed with the leaden bull, beginning with the words "To all the Churches of the world," given in Rome on the twenty-seventh day of the month of April in the year one thousand eight hundred and ninety-two, We freely decree the division of a new diocese in the Republic of Brazil, whenever it may seem expedient, and, exercising the fullness of Apostolic power, We divide the aforementioned Archdiocese of Marianna into two parts, restricting it towards the east, and in the western part, We erect a new diocese, to be called Bellohorizonte.

To this new diocese, We assign and attribute the following municipalities, commonly known as the Prefecture of Bello Horizonte, Contagem, Santa Luzia, Sabara, Gaeté, Siete Lagoâs, Bomfim, Entre Bios, Santa Quiteria, Itauna, Para, Pequy, Pitanguy, Divinopolis, Itapecerica, Oliveira, Passatiempo, CampoBello, Perdoès, and Boni Succeso, with the parish of Hitiruna.

The Diocese of Bellohorizonte, thus defined by its boundaries, We erect and establish, with its episcopal see and cathedral in the city of "Bello-Horizonte," from which the diocese itself takes its name, and We raise it to the rank of a diocesan city, together with all the rights and privileges that other diocesan cities enjoy and possess by common right.

[*Latin ed. p. 337*]

Acta of Benedict, Pope, XV, 337. We elevate and extol the Church existing there, dedicated to the Blessed Virgin Mary, assumed into Heaven, to the status and dignity of a cathedral; and, together with it, we grant to it and to its Bishops, for the time being, honors, insignia, favors, graces, privileges, and rights, with which other cathedrals of the Church and their prelates are commonly endowed, or enjoy by legitimate custom. We constitute this Church a suffragan of the metropolitan Church of Mariana, and we subject the Bishops, for the time being, of that Church to the metropolitan jurisdiction of the Archbishop of Mariana; nevertheless, We reserve to Ourselves and to the Apostolic See the faculty freely to determine the division of this diocese, whenever it may seem opportune in the Lord. As for the administration and governance of this diocese, the institution of a cathedral chapter

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or a college of consultors, the erection of a diocesan seminary, the election of a capitular vicar, or administrator in the vacancy of the see, the rights and obligations of the clergy and the faithful, and other matters of this kind, We command that those things be observed which the sacred canons prescribe. Furthermore, concerning the clergy, We decree that, as soon as the division of the archdiocese of Mariana and the erection of the new diocese of Belo Horizonte are effected, those presbyters who are legitimately present in that territory, or who are engaged in the care of souls, or in some ecclesiastical office, shall be considered as belonging to that Church. We establish the episcopal seat from the taxes, tithes, and other offerings of the faithful, upon whose property this new diocese is erected. We also wish that two chosen young men from Buena Esperanza be sent, without interruption, to the Pontifical College Pio Latino Americano in the city of Rome, so that there, under the very eyes of the Roman Pontiffs, they may apply themselves to ecclesiastical disciplines. We also command that all documents and acts pertaining to this diocese and its clergy and faithful be, as soon as possible, delivered from the chancery of the archdiocese of Mariana to the chancery of the diocese of Belo Horizonte, so that they may be kept in its archives. Moreover, these Letters and everything contained in them, even if anyone, whether for their own interest or under the presumption of their own interest, have not been heard, or have not agreed to the foregoing, even if they are worthy of express, specific, and individual mention, shall never, at any time, be subject to the vice of subreption, or of prevarication, or of nullity, or of Our intention, or by any other means, even by a substantial and unforeseen defect, be noted, impugned, or invalidated.

[*Latin ed. p. 338*]

338 Acta Apostolicae Sedis - The official commentary may call this a matter of controversy; but We declare and decree that these [acts] are, as having been made and issued from certain knowledge and the fullness of power, perpetually valid, and that they will always have their full and complete effects, and that they must be inviolably observed by all to whom they apply, and that if, concerning these matters, anyone, with authority, knowingly or unknowingly, should attempt to interfere, they shall be utterly null and void. Furthermore, for the execution of all the aforementioned matters, We entrust the venerable brother Henry Gasparri, titular Archbishop of Sebastes, Apostolic Nuncio in the Brazilian Republic, and We grant him the necessary and appropriate powers, including the power to delegate, to any person holding an ecclesiastical office, to definitively pronounce judgment on any difficulty or opposition that may arise in the execution of this matter; and We also impose upon him the duty of sending, within six months from the date of these letters, an authentic copy of the completed execution to the Sacred Congregation of the Consistory. Finally, We command that these Letters, even in printed form, when presented to a public notary,

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duly signed and sealed by someone holding an ecclesiastical office, shall be given exactly the same credence as if these Our Letters were exhibited or shown. Notwithstanding any rules in synodal, provincial, general, or universal Councils, special or general constitutions and ordinances Apostolic, and any other dispositions of the Roman Pontiffs, Our predecessors, or any other contrary provisions whatsoever. Therefore, no one shall be permitted to infringe or contradict these Our Letters of dissolution, erection, decree, mandate, and will. If anyone, with reckless audacity, should presume to attempt this, let him know that he will incur the wrath of the Almighty God, and of the blessed Apostles Peter and Paul. Given at Rome, at Saint Peter's, in the year of Our Lord nineteen hundred and twenty-one, on the eleventh day of the month of February, in the seventh year of Our Pontificate.

[Signature]

C. CARD. DE LAI,

Bishop of Sabina.
Secretary of the Sacred Congregation of the Consistory.
Raphaël Ludovicus Loco
[Signature]
Efa Plumbi.
Registered in the Apostolic Chancery, Volume XXIII, No. 5.

O. CARD. CAGIANO

S. R. E.
Chancellor.
Virili,
Protonotary Apostolic.
Schüller,
Apostolic Protonotary.

[*Latin ed. p. 339*]

Acta Benedicti PP. XV 339 LITTERAE APOSTOLICAE 1. THE SAMOGITIAN CATHEDRAL CHURCH IS ENRICHED WITH THE TITLE AND PRIVILEGES OF A BASILICA MINOR. BENEDICT XV. For the perpetual memory of this matter. The Samogitian cathedral church, dedicated to God in honor of the Apostles Ss. Peter and Paul, which is located in "Caunes" in Lithuania, excels in antiquity, structure, artistic monuments, and the piety of the people, and therefore deserves to be rightly counted among the most important churches of all Lithuania. Indeed, this sacred edifice, begun in the fifteenth century under the care of Vytautas, the Great Duke of Lithuania, was constructed in the Gothic style and is of such great size

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and amplitude that it surpasses all the churches of the region. It was later given to the Augustinian Fathers, and through a long series of centuries, the Archbishops, nobles, and faithful of Lithuania have added to it with continuous works and adorned it with special privileges. It is worth noting that, although the church itself has suffered very serious damages, having been devastated by the hostile hand of the Swedes in the year 1655, and consumed by fire in the year 1733, it was nevertheless never completely destroyed, but was restored to its former splendor in a short time, with God's help. This sacred edifice is particularly adorned with unique artistic monuments and paintings, and is richly furnished. Furthermore, the same sacred edifice is ennobled by the relics of several blessed souls. There are in it the tombs of recent Samogitian Archbishops, namely Matthias III Valancius, Bishop, who deservedly earned great merit in Lithuania for religion and for literary pursuits, a renowned pastor and writer, highly esteemed among the Lithuanian people; Miecislai I Pallulon, a fearless defender of the faith and ecclesiastical liberty against the attacks of the schismatic Russian government, and an excellent administrator of the diocese; and the pious Archbishop Caspar Cirtautas, under whose auspices, with contributions from all the citizens, the cathedral church was splendidly built and adorned. Indeed, this year, in the month of September, the venerable brother Franciscus Karevicius, Archbishop of Samogitia, reported to us, on this auspicious occasion of the fifth century since the founding of the Samogitian diocese, with the authority and grace of the Holy See, that solemn festivities should be celebrated, and that he and his clergy and people earnestly desire that, for the greater glory of God, for the increase of Christian piety, and for the enhancement of the honor of his own diocese, the cathedral church be raised to the dignity of a Basilica Minor.

[*Latin ed. p. 340*]

340 Acta Apostolicae Sedis - Official Commentary: We, recalling with our minds the venerable memories of that ancient temple, and knowing that the city of "Gauna" has become the principal city and the head of the flourishing entirety of Lithuania, and that the seat of the highest magistrates of the Republic has been upon established there, and therefore that even the most important civil events should be solemnly commemorated with religious ceremonies in the cathedral church, we have judged it fitting to grant our assent with a willing heart. Therefore, by Our Apostolic authority, in the presence of all, and forever, we promote the cathedral church of Samogitia, dedicated to the Holy Apostles Peter and Paul, to the rank of a minor basilica, and we grant it all the privileges that rightfully belong to the minor basilicas of this city. We decree that these present letters shall always remain valid and effective, and shall have their full and complete effect, and shall greatly benefit those to whom they pertain, now and in the future; and it shall be rightly judged and determined that, from this

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moment, anything to the contrary shall be considered null and void, if anyone, by any authority whatsoever, should knowingly or unknowingly attempt to alter anything concerning these matters. Notwithstanding all contrary provisions. Given in Rome, at St. Peter's, under the Fisherman's ring, on the twenty-sixth day of April, in the year 1921, in the seventh year of Our Pontificate. P. CARD. GASPARRI, Secretary of State.

II. PIA ASSOCIATIO SUB TITULO: "EUCHARISTICI FOEDERIS" ARCHICONFRATERNITATEM SEU PRIMARIAM * MEDIOLANI ERECTA, IN ASSOCIATIONEM PROMOVETUR.

BENEDICTUS PP. XV

For the perpetual memory of this event.

The General Procurator of the Order of Discalced Carmelites reports to Us that, from the year 1856, a pious association under the title "Eucharistici Foederis" was duly established in the church dedicated to "Corpus Domini," annexed to the monastery of the aforementioned Order in Milan, for the principal purpose of bringing together the faithful near the sacred Tabernacle in a sacred militia, and of promoting the kingdom of Jesus Christ in families and in the entire civil society, and also of obtaining, through the Sacrament of Love, the reconciliation of the Holy Mother Church, the conversion of the dissenters and schismatics to the true faith, that all may be one under one Shepherd. The same Procurator added that this fruitful society, by the Archbishop of Milan and many other prelates,

[*Latin ed. p. 341*]

The acts of Pope Benedict XV, number 34, having been approved, and with God's favor, have spread rapidly throughout Italy and beyond, almost throughout the entire Catholic world, and now flourishes with a large number of members. We have learned that this Association was increased by our predecessor, Pope Leo XIII, with several indulgences and privileges. Now, since the aforementioned Procurator earnestly implores us, that we might deem it fitting, through our Apostolic benevolence, to elevate it to the rank of a Primary Association; we, considering that in this very Federation there are so many and such distinguished names of those who have merited the highest praise for their piety, and that this would greatly promote its growth and good, have readily and willingly agreed to these requests. Therefore, after consulting with the Most Reverend and Venerable Cardinals, Prefects of the Congregation for interpreting the decrees of the Council of Trent, by our Apostolic authority, and with the force of the present document, forever and in perpetuity, we canonically erect and promote the Association under the title of the Eucharistic Federation, which was established in Milan, in the church of the Most Holy Body of Christ, belonging to the Carmelite Discalced monastery, into an Archconfraternity,

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with the usual privileges, or into a Primary Association. Furthermore, to the General Moderator and officials, present and future, of the aforementioned Association, which we have thus erected into an Archconfraternity or Primary Association, we grant, by our Apostolic authority, and forever, permission to include within it all and each of the Associations, both in Italy and throughout the entire world, which bear the same title and are of the same institution, whether they exist now or are to be established in the future, and to lawfully communicate to them the indulgences and spiritual graces granted to the Association thus promoted by the Holy See, provided that these [graces] may be communicated with others.

Moreover, the statutes of the aforementioned Federation, prepared to define and adapt to the present times, and completed by the members, having been reviewed and approved by the Most Reverend Cardinal Ferrari and by other Ordinaries of Italy, we ratify and confirm them with our supreme authority for all dioceses in which the aforementioned Federation exists. Furthermore, we grant this, decreeing that these present letters shall always exist and remain valid and effective, and shall have their full and complete effect and obtain their intended purpose, and that the aforementioned Association, now elevated to the rank of a Primary Association, shall forever be supported by us, and that it shall be rightly judged and defined, and that anything to the contrary, attempted by anyone, knowingly or unknowingly, with any authority whatsoever, shall be declared invalid and void from this moment forward. Notwithstanding all Apostolic constitutions and ordinances, and all other things. Special permission is granted.

[*Latin ed. p. 342*]

342 Acta Apostolicae Sedis - Official Commentary, with individual mentions and derogations worthy of note, in contrast to whatever may be. We decree that – as has been stated in these Letters, or in copies, even printed ones, signed by the hand of a public notary and sealed with the seal of a person holding ecclesiastical dignity or office – the same full faith be given to them, as would be given to the present Letters if they were exhibited or shown. Given in Rome, at Saint Peter's, under the Fisherman's Ring, on the 27th of April, 1921, in the seventh year of Our Pontificate. P. CARD. a Secretis Status. GASPARRI. To the THREE MEMBERS of Our Sacred Congregation for Indulgences, and to others who diligently recite prayers for the intention of obtaining, with a good death, plenary indulgences and partial indulgences, are granted. BENEDICT XV. For the perpetual memory of this matter. — The Confraternity of Our Lady of the Good Death, now called by that name, was, in the year 1918, on the 22nd of March, strongly commended by Us through Apostolic Letters, sealed with the Fisherman's Ring; but, since it strives to achieve the purpose it proposes, and to bring it to fruition, it is of such importance that We do not hesitate to reaffirm and strengthen it again with the authority of the Holy See, and to provide for it

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a greater grant of indulgences from the treasures of the Heavenly Church. Those who join the ranks of this confraternity have, as it were, a special and proper means, not only of obtaining a precious death in the sight of God, for themselves and for others, but also of diligently meditating on that death which awaits each one, and of awaiting it with the help of prayers and other works, according to that saying in the Imitation of Christ: "Thus you should conduct yourself in every action and thought, as if you were about to die immediately." Surely, there is no other undertaking more important and necessary for attaining eternal salvation? Indeed, the Apostle Paul urges that this task, as it were, is incumbent upon every Christian, and that no one can successfully carry it out unless they persevere in living a holy life and die a holy death. May this be deeply ingrained in the minds of the Christian faithful, so that it is not, as it often is, pitiably forgotten, especially in this age, when people seem to have their eyes fixed on the earth, as if they were cattle, and to feed them solely on worldly pleasures, despising and neglecting heavenly things.

[*Latin ed. p. 343*]

The acts of Pope Benedict XIV, number 343, and other matters. Therefore, to our Sodality of the Most Holy Death, a most considerable praise must be given, besides others, because, through its very institution, it brings to the minds of men that very moment of time when the eternal fate of the soul is endangered, and it constantly urges them to persevere in the great work of pleasing God until death; and concerning this matter, as Trent teaches, although all must place and restore their firmest hope in the help of God, no one can promise himself anything with absolute certainty; therefore, the Apostle Paul decreed that salvation should be sought with fear and trembling. Although we may not justly merit the great gift of perseverance and of the holy death in the kiss of Christ, since it is given freely, yet, as Augustine testifies, it can be obtained through supplication, provided that it is requested from the Father in the name of Christ, through such prayers as Christ himself certainly promised would be heard. Indeed, if these prayers are offered, joined with the practice of the Christian life, without any interruption of time, it will undoubtedly, through the mercy of God, result in our being found steadfast in faith and effective in works, and finally, after the vicissitudes of this life, we may merit to arrive at the port of salvation; for God will not deny grace to those who do what is in their power. Meanwhile, we are grieved that, out of the immense number of those whom, through the divinely appointed apostolic office conferred upon us, we have undertaken to guide and assist towards eternal blessedness, too few are concerned about their salvation and thus, as we have said, are not duly admonished to live piously. But it is clear that prayers of this kind will be all the more effective, the more excellent they are; for Christ himself, the Mediator and Priest, offers perfectly and pleasingly to the Fa-

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ther, in the august sacrifice of the Mass, such supplications, and therefore they are the most efficacious of all. Therefore, let the faithful, who wish to secure for themselves a precious and safe death, surely order that the Sacred [Mass] be offered with this intention in mind, since Christ is always alive there, ready to intercede for us, and there He has established the throne of grace, to which we should approach with confidence, so that we may obtain mercy and find grace in timely help. For, as Trent says, the Lord, appeased by the offering of the sacrifice, grants the grace and gift of penance, and remits even great sins and offenses, and forgives the debts due for the expiation of guilt, drawing the price of redemption from the immense store of Christ's satisfactions; and furthermore, through the very Sacred [Mass] itself, all those aids can be obtained which are necessary and opportune, by which we not only avoid blemishes and remove those that have been conceived, but also persevere in the grace and friendship of God, so that we may die the death of the just. In this, it is especially important to consider the fruits that are derived from the Sacred [Mass], for men...

[*Latin ed. p. 344*]

344 Acta Apostolicae Sedis - The official commentary will be of far greater benefit to the living than to the deceased, since those who are well-disposed and of good will will, with greater directness, certainty, and abundance, apply [the indulgences]: hence, with the gift of perseverance, we can obtain the ability, while still living, to appease the justice of God, and to remit, or at least greatly diminish, the punishment that would otherwise keep us in the fire of Purgatory. If, however, many ungrateful and forgetful people are accustomed to neglecting the offering of the Sacrifice to appease the souls of those whom they considered most dear, then, indeed, a greater number will suffer the loss of great spiritual benefits, than will be helped by the Mass that they, while still living, themselves offer, rather than by that which their heirs, relatives, or friends have arranged to be offered for the comfort of the deceased. How many faithful are ignorant of this! The most beloved son, Aristides Guibert, Superior of the Priory of the Holy Mary, commonly of Tinchébray, lamented this with us on the eighth day of last month, when we received him before us, and he revealed to us that, if we approved, he wished to establish a kind of "Grace" among the members of our confraternity of Our Lady of the Good Death, so that these might diligently perform the sacred rites necessary to obtain grace for a pious death for themselves and for all others; we not only approved of this, but also declared that such a work of studious charity would enrich us ourselves with heavenly treasures. Encouraged by these impulses, the same beloved son soon afterwards presented to us a petition from our most beloved son, Peter, Prefect of the Sacred Roman Ecclesia, Cardinal Gasparri, Protector of the Confraternity of Our Lady of the Good Death, which was presented with the broadest support, and

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which contained a certain formula for prayer, and he requested that we grant plenary and partial indulgences to those members who recited it and ordered that the same be recited during the Holy Sacrifice. Gladly complying with these pious requests, and confident in the mercy of Almighty God and in the authority of the blessed Apostles Peter and Paul, and after hearing our beloved Cardinal Penitentiary Major, we grant, by these present letters, to all and each of the faithful, both those already enrolled in our confraternity of Our Lady of the Good Death and those who will be enrolled in the future, who shall recite the following prayer, according to the model contained in these letters and to be preserved in the archives of the Apostolic Briefs, in any language, provided that the translation is faithful, a grant of five hundred days of indulgences, as often as they recite it; and seven years and as many quadragenaries, as often as they hear the Holy Sacrifice and recite the same prayer; and a plenary indulgence once a week, if, having recited the same formula of prayer daily, they attend Mass once on weekdays, having received the sacraments.

[*Latin ed. p. 345*]

The acts of Pope Benedict XV, page 345, also grant, under the usual conditions, a plenary indulgence, on any day designated as holy, according to the intentions expressed in the offering formula itself, to those who have diligently striven to fulfill them. Furthermore, we mercifully grant that all and each of the faithful, both those already enrolled in this Sodality and those who will be enrolled in the future, may, each year, on the 31st of May, the feast of the Blessed Virgin Mary, Mediatrix of all Graces, and on the Saturday following the feast of the Most Sacred Heart of Jesus, on which Saturday the feast of the Immaculate Heart of Mary is celebrated, obtain a plenary indulgence, under the usual conditions. Finally, it is permitted to all these members to satisfy, through the indulgences granted, the temporal penalties and debts incurred. Meanwhile, we are filled with hope and joy, that in this Sodality, widely spread throughout the world, ever more Christians will wish to join, not only to enjoy the graces conferred by the Apostolic See, but also to exercise the apostolate of a good death, according to the laws of the Sodality, striving with all their strength to ensure that those who are at the point of death do not delay in receiving the sacred Viaticum and Extreme Unction, even when they seem to be losing their senses, but, on the contrary, as the Church teaches and commands, they may be strengthened by these Sacraments, and that a prudent judgment may be made about the danger of death. This apostolate, so fruitful for the members themselves and for those around them, seems to flourish and grow more rapidly in these times, and all the more because men should seek lasting benefits and more earnestly consider the salutary thought of death. In this regard, the members will earn all praise and a heavenly reward if, with the purpose that we have mentioned above, they diligently

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perform the sacrifice at the altar, so that the work of Redemption may be effectively and perpetually accomplished in societies or among impious people, and that all, as far as possible, may attain eternal salvation, since for all of us, the Divine Jesus Christ has poured forth His blood, prodigal of His soul. Moreover, we decree that these present letters shall always remain valid and effective, and shall have their full effect and obtain their intended purpose, and that they shall fully suffice for those to whom they apply, or may apply, and that they should be defined and judged accordingly, and that they shall be null and void if anything contrary to these is attempted, knowingly or unknowingly, by anyone with any authority. These present letters are valid forever, notwithstanding any contrary provisions. Given in Rome, at St. Peter's, under the Fisherman's ring, on the 31st of May, the feast of the Blessed Virgin Mary, Mediatrix of all Graces, in the year 1921, in the seventh year of Our Pontificate. By the hand of Cardinal PETER GASPARRI, N. Sebastian, by Apostolic Briefs. ACTA, vol. XIII, n. 9. — 7-7-1921. 24

[*Latin ed. p. 346*]

346 Acta Apostolicae Sedis - Official Commentary. Prayer and formula of offering to obtain the grace of a holy death. - Holy Father, I offer to you all and each of the Masses celebrated or to be celebrated today throughout the entire Church, that through the blood of Jesus, your Son, and through the intercession of the Blessed Virgin Mary, sorrowful under the Cross, just men may receive the great gift of perseverance, sinners the grace of perfect conversion, and to all the faithful, especially to myself, my relatives, and those attached to this pious Sodality, at the end of life, you may deign to grant the refreshment of the Holy Eucharist, the Unction of the sacred oils, and a death precious in your sight. Through the same Christ our Lord. Amen. LETTERS TO R. P. ALEXIUS. Two books recently published by Mary Lépicier, of the Order of the Servants of the Most Holy Virgin, which she praises. Beloved son, greetings and apostolic blessing. — That the vigor of the Christian profession is commonly gradually waning, that in common life and in the society of mankind, the laws of justice are violated so easily, that men so eagerly pursue worldly goods that they consider nothing in the way of obtaining them, these and similar things are clearly not arising from anything other than forgetfulness of those things which are for all mortals to be hoped for or feared forever by the Judge God after human death. It is because, indeed, sometimes the negligence or contempt of the most holy religion is incited by the vanity of superstitions, that it is seen that not a few are now rashly engaging in dealings with spirits, and imprudently entangling themselves in the snares of the devil. Therefore, there are two excellent opportunities presented by the two books you recently published: in one, you expound fully on the Catholic doctrine concerning the last things, in the manner of the Scholastics, providing a

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rich material for preachers to stir the minds of the faithful; in the other, you examine the things said about spiritualism with accuracy, as if through a sieve of theology, and you argue excellently, from the principles of faith, demonstrating what the condition of the soul is after the bonds of the body are loosened, and you refute the deceptions of the enemy of man, which are so harmful to many today. Indeed, we have received these books – as have all your other writings, with which you have long striven to defend the faith and to foster piety among the people – with great pleasure; all the more because in both, as we see, you treat matters religiously, as you...

[*Latin ed. p. 347*]

The Acts of Pope Benedict XV, page 347, attest that you follow the example and teachings of Saint Thomas Aquinas. Therefore, we praise you for this double service to doctrine, prudence, and piety, and in order that the hoped-for fruits of salvation for souls may arise, we, as a witness to the heavenly blessings and a testament to Our paternal benevolence, bestow upon you, beloved son, Our most loving apostolic blessing. Given in Rome, at Saint Peter's, on the thirtieth day of the month of April, in the year 1921, in the seventh year of Our pontificate. BENEDICT XV.

TO THE REVEREND FATHER CAESAR LATORUM, AND TO SERAPHICUS OF TOURS, TO WHOM IS COMMENDED THE BOOK ENTITLED "LA PERFECTION SÉRAPHIQUE D'APRÈS SAINT FRANÇOIS," FROM THE ORDER WHICH IS WRITTEN "OF THE MINOR CAPUCHINS."

Beloved son, greetings and Our apostolic blessing.

The gift you have made, namely the book entitled "La Perfection Séraphique d'après saint François," has certainly been received with gratitude and pleasure by Us. For, since We have the primary purpose of drawing men back to Christian institutions in order to seek the salvation of human society, this volume, which exhibits the wondrous life of the Patriarch of Assisi, with all the perfections of his virtues, is most fitting. Although this work is especially intended for the benefit of the majority of members, whom, bound by the vows of religion, it befits to strive first to imitate the example of the Holy Father, there is no doubt that it will also be beneficial to all of Saint Francis's disciples, and even to the Tertiaries. Indeed, as We recently declared in the Encyclical "Sacra Propediem," the Third Franciscan Order seems to Us to be able to greatly contribute to the awakening of private and public Christian spirits, provided that it carefully retains the form impressed upon it by the Most Holy Founder. Therefore, as We earnestly hope that your work may be a great help in achieving the seraphic perfection of the soul, so We also earnestly pray to God for it.

We congratulate you on having, through your work, not only demonstrated opportunity, but also commendable doctrine, piety, and dedication. Beloved son, as a witness to divine gifts and a testament to Our paternal

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benevolence, We bestow upon you Our most loving apostolic blessing.

Given in Rome, at Saint Peter's, on the first day of the month of May, in the year 1921, in the seventh year of Our pontificate. BENEDICT XV.

[*Latin ed. p. 348*]

348 Acta Apostolicae Sedis, - Commentarium, Official Acts of the Holy Congregations. The Holy Congregation for the Discipline of the Sacraments issued an Instruction to the Reverend Ordinary Authorities concerning the verification of the status of freedom and the notification of the commencement of marriage. It has been repeatedly observed that few Ordinary Authorities ensure that parish priests, especially in foreign and remote regions to which many workers immigrate from Europe, properly observe the prescribed laws, both regarding the status of freedom and the notification of the commencement of marriage; consequently, it frequently happens that an unlawful marriage is contracted by those who are still bound by a previous bond. To prevent this, so that the sacred rights of the Christian family may be protected, and so that parents may not be burdened with the bonds of damnation, and children may not be easily exposed to the danger of perversion, this Holy Congregation for the Discipline of the Sacraments issued an Instruction to the Ordinary Authorities on March 6, 1911, which was published in the Official Commentary of the Acta Apostolicae Sedis, Volume III, page 102, on the 15th of the same month. However, lest anyone should think that, in this very important matter, anything in this Instruction contradicts the Code of Canon Law, the Fathers of this Holy Congregation, in a general meeting held on June 26 of the current year, decided that it should be given again to the Ordinary Authorities, supported by the prescriptions of the Code itself, with the following wording:

1. Ordinary Authorities should remind parish priests that it is permissible for them to be present at a marriage, even if they do so with the pretext, or with the intention, of deterring the faithful from scandalous concubinage, or of preventing the so-called civil marriage, provided that they are legitimately informed of the free status of the contracting parties, and that the laws that must be observed are observed (can. 1020 and 1097 § 1, n. 1, Code of Canon Law), and that they should also be reminded not to omit, in accordance with can. 1021, to require a certificate of baptism from the contracting parties, if this has been received in another parish.

2. By virtue of can. 1103 § 2, the parish priest who officiated at the marriage should promptly transmit to the parish priest of baptism the notification of the commencement of the marriage, which, as...

[*Latin ed. p. 349*]

The Holy Congregation for the Discipline of the Sacraments, in its decree 349, has prescribed that the following be observed: It is necessary that the

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document contain the first names and surnames of the spouses and their parents, the age of the contracting parties, the place and date of the marriage, the names and surnames of the witnesses, and finally, the name and surname of the parish priest, along with the parish seal. Furthermore, it must be accurately stated regarding the parish and diocese, and the place of baptism of the spouses; and other matters must be included that are necessary for the safe transmission of the document by public officials.

3. In order that a more secure testimony regarding the freedom from marriage of those about to be married be obtained, or that notification of a subsequent marriage reach the parish priest, the parish priest shall prepare or transmit this document through the chancery of the local Ordinary.

4. It is necessary for the parish priests to perform these duties, especially in the case of marriages of emigrants, which are to be considered as marriages of vagrants, in which, according to canon 1032, the parish priest ought not to assist unless he has obtained due permission to do so from the local Ordinary. And even if the matter does not concern vagrants, there is no small doubt regarding other emigrants concerning the existence of an impediment, and therefore, according to canon 1031 § 1 n. 3, the parish priest cannot assist in their marriage without consulting the Ordinary; keeping in mind also the prescription of canon 1023 § 2. For these reasons, this Holy Congregation commands and mandates that parish priests not assist in the marriages of the faithful about whom this Instruction speaks, except in the case of necessity or imminent danger of death, without consulting the local Ordinary.

5. If, perchance, it should happen that, even with the precautions mentioned in n. 1, the parish priest, upon receiving notification of the marriage, discovers that one of the contracting parties is already bound by another marriage, he shall immediately report the matter, through the chancery of the Ordinary, to the parish priest who has unlawfully attempted the marriage.

6. The Ordinaries shall diligently see to it that these prescriptions are religiously observed, and that those who are found to have violated them are brought to account, using even, if necessary, canonical sanctions.

His Holiness Pope Benedict XV, in an audience granted to the undersigned Secretary of this Holy Congregation on June 26, 1921, approved and confirmed this Instruction, and commanded that it be observed by all to whom it pertains.

Given at Rome, from the offices of the Holy Congregation for the Sacraments, on July 4, 1921.

M. L. CARD. LEGA, Prefect.

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S. t A. Capotosti, E p., Secretary.

[*Latin ed. p. 350*]

350 Acta Apostolicae Sedis - Commentarium Oficiale
SACEA

CONGREGATIO CONCILII

● I DIOECESIS III. ET ALIARUM TAXARUM CURIAE

Die 11 decembris 1920

SPECIESFACTI:

Ordinarius M. adhanc S. G. transmittens, ad normam canonis 1507, pro necessaria recognitione indicem taxarum in singulis dioecesibus provinciae ecclesiasticae N. ad quam pertinet adhibendarum, prout confectus et approbatus fuerat in novissimo conventu Episcoporum eiusdem regionis, animadvertebat mirum esse non debere si, pro quolibet titulo, duplex proponetur taxa, altera nempe maxima, altera minima; quum, ob nimiam discrepantiam quae in hac re viget in singulis dioecesibus praefatae regionis, satius visum esset in communi taxat i o approbando assumere tum minimam tum maximam taxam quae in propositis indicibus occurrebat, idcirco postulabat, nomine suorum suffraganeorum, ut singulis Curiis liceret quae opportunior censéretur taxam eligere, dummodo inter utrosque terminos, a taxario praefinitas, contineretur.

Tum ob rei novitatem, tum quia vel prima facie apparebat quasdam taxas supprimendas vel saltem minuendas esse, visum est universum negotium subjicere Eorum Patrum iudicio, proposito dubio: An et quomodo approbandae sint taxae Curiarum regionis N. in casu.

I. Enimvero notum cuique est universum hoc de taxis curialibus negotium normam sumpsisse ex litteris Innocentii XI, d. 8 oct. 1678 (cfr. textum in extenso a p. Ferraris, s. v. Taxa) quarum plures dispositiones decreto huius Sacrae Congregationis d. d. iunii 1896 iterum inculcatae fuere, ad hoc definite propositum « ut « normahaberetur uniformis in exactionibus pro variis actibus iurisdictionis ecclesiasticae non contentiosae, ac immodicarum taxarum « onus, pluriumque controversiarum occasio tolleretur ». Hanc vero uniformitatem, non tantum in eadem dioecesi, sed in universa provincia seu regione esse statuendam, conceptis verbis edicit eiusdem S. Congregationis praescriptum, ubi, ad II quaesitum: « An generalibus editis « normis, specifica taxatio in singulis dioecesibus, Ordinariorum arbitrio

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ANIMADVERSIONES.

[*Latin ed. p. 351*]

The Holy Congregation of Councils 351 "should be abandoned; or rather, should it be prescribed that this matter be addressed in provincial synods... under the law, so that, as far as possible, a uniform tax be established in each province or region?" The response is: Negative to the first part, affirmative to the second. Hence, it is also clear that the same prescription is contained in canon 1507 of the Code of Canon Law, where it is likewise stipulated that the determination of taxes must be made in the provincial council, or in the assembly of bishops of the province. Furthermore, the words of the Code are self-evident: "To determine taxes for various acts of jurisdiction, whether voluntary, or for the execution of the decrees of the Apostolic See, or on the occasion of the administration of the Sacraments or Sacramental rites throughout the ecclesiastical province, belongs to the provincial council, or to the assembly of bishops of the province"; these words are made even more explicit by comparison with canon 1234 (which is explicitly reserved by the words: "saving canon 1234"), where, on the contrary, it is read: "The Local Ordinary shall, if there is no such list, prepare for his territory, with the consent of the cathedral chapter, a list of funeral taxes or alms." Having considered these matters sufficiently, it becomes clear that it is contrary to law to establish taxes in such a way that it is permitted to establish different amounts in one diocese from those that are in force in another, even if they are contained within a maximum and minimum established limit: because, indeed, in this way the reason for uniformity, which the legislator most prudently had in mind, vanishes. Moreover, no reason seems to exist for establishing it in this way: for, if one considers the work and expenses of the chancery in collecting these taxes, it is not easy to say why these should be estimated, for example, at five hundred livres in one state, and at twenty hundred in a neighboring state; rather, in this way, the admiration and scandal of the faithful, which the legislator sought to avoid above all (cf. e.g. canon 1234, § 1), are carelessly fostered; for it is not easy, for example, for a bridegroom to explain why he must pay fifteen hundred livres for the attestation of his freedom, while the bride, from a neighboring diocese, pays only two hundred. Therefore, it is not seen as advisable to approve a double amount of tax for any title, as is proposed in the schema.

II. Turning to the individual titles, the following should be noted. Since, by Innocentian letters and subsequent declarations of the Holy See, it is forbidden to receive anything, whether by reason of scripture, or of labor, for the exercise of the Orders, whether major or minor, or for the administration of the Sacraments and ecclesiastical benefices, much less for the renunciation thereof; for the power to preach; for the license to transfer and bury the bodies of the dead; for the license to collect alms; for the mandate

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of publications to the Orders, etc.; it follows that in all these matters, only what is necessary for expenses may be demanded.

[*Latin ed. p. 352*]

The Acts of the Apostolic See – an official commentary – have been prepared for the purpose of comparing the material; therefore, it is not explained why such a significant difference is found in each of these terms in the proposed tax schedule. Nor does it seem correct that a heavier tax should always be applied to priests from outside the diocese. Furthermore, the requirements listed under the title "mance" for "sala" or the Bishop's household must be removed, as they are contrary to the explicit prohibitions repeatedly contained in the Innocentian documents. It is true that it may not be easy to eradicate this improper custom in practice; however, there is no reason to enshrine it as a legal edict! Finally, with regard to matrimonial dispensations, it is already established by canon 1056 that no fee is to be charged for these, "unless this faculty has been expressly granted to them [the Bishops]"; therefore, the terms relating to this matter must be removed, and any specific requests should be directed to the Apostolic See, if the circumstances warrant it. Wherefore, etc. – The Sacred Congregation of the Council, in a plenary session held in Rome on December 11, 1920, decided to write: "That, excluding the double tax, in a future conference, a single tax should be established, taking into account, in addition to the Innocentian Bull, the prescriptions of the Code and the decree of this Sacred Congregation of June 10, 1896; and that a certain discretion should be observed in the imposition of taxes." RESOLUTION. This resolution, presented the following day to the undersigned Secretary of the Sacred Congregation, was approved and confirmed by Our Most Holy Father Benedict XV. i. MORI, Secretary. II GATANEN, PANORMITANO ET ALIARUM IN SICILIA AD E.MUM P. D. CAIETANUM TUM A LATERE S. R. E. CARD. DE LAI, EPISCOPUM SABINEN., LEGA- SS.MI, LITTERAE RECOGNITIONIS CONCILII PLENARII SICULI. Most Eminent and Reverend Lord, My Greetings. – Since the Plenary Council of Sicily, to which Your Eminence presided with skill and diligence as the legate of His Holiness, has been successfully concluded, with God's favor, at the end of the year 1920, and in order to provide for the canonical revision...

[*Latin ed. p. 353*]

353 The Holy Congregation of the Council, after examination according to the prescription of canon 291 § t of the Code of Canon Law, has submitted to Your Eminence for judgment the acts of this Holy Congregation of the Council. The full acts and decrees of the aforementioned Council, carefully considered by the Most Reverend Fathers of this Holy Congregation, have been found, with only a few minor exceptions, to be in conformity with the norms of the Code of Canon Law, and are also wor-

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thy of the praise due to their merits. This work is truly to be commended and encouraged, since the Most Reverend Archbishop of Catanensis and Panormitanus, along with other Bishops and Ordinaries of Sicily, under the presidency of Your Eminence, were the first, after the publication of the ecclesiastical Code, to embrace it with a willing spirit, and they have completed it with zeal for the salvation of souls and with the expertise of sacred canons, in matters pertaining to the promotion of the Catholic faith, the strengthening of morals, the increase of divine worship, and the protection of ecclesiastical goods. May Almighty God grant that the acts and decrees of this plenary council, which seem to be adapted to the particular needs of Sicily, may be a source of great good and progress for the clergy and people of that region! Moreover, since the Most Reverend Lord N. Benedict, Divine Providence, Province P, XV, to whom these matters were referred, has deigned to confirm and approve them, and has expressed great joy concerning them, it is fitting that Your Eminence should inform the aforementioned sacred Sicilian prelates of all this, and that Your Eminence should take care to publish and promulgate the acts of the praised Sicilian plenary council, taking into account the observations that are appended, in accordance with canon 291. In the meantime, I humbly kiss the hands of Your Eminence, and I declare my profound devotion and obedience to Your Eminence.

Given at Rome, on the 9th of May, 1921.

Your most humble and faithful servant,

D. CARD. SBARRETTI, Prefect.

[*Latin ed. p. 354*]

354 Acta Apostolicae Sedis - Official Commentary

SACRED CONGREGATION FOR THE PROPAGATION OF THE FAITH

1. DECREE WHEREBY THE RELIGIOUS CONGREGATION OF MISSIONARIES OF THE IMMACULATE HEART OF BLESSED MARY VIRGIN OF SCHEUT IS PLACED UNDER THE JURISDICTION OF THIS SACRED CONGREGATION.

That the Religious Congregation of Missionaries of the Immaculate Heart of the Blessed Virgin Mary of Scheut, established for the purpose of propagating the faith among pagan peoples, may more effectively achieve its end, it has seemed opportune that this Institute should be placed, also in matters pertaining to its internal religious discipline, under the jurisdiction of this Sacred Congregation for the Propagation of the Faith. Concerning this matter, after a report was made by the undersigned Cardinal Prefect of the same Sacred Congregation for the Propagation of the Faith to His Most Holy Lord Pope Benedict XV, on the 17th of the current month, His

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Holiness, after due consideration, graciously approved, and the present decree has been issued; notwithstanding any contrary provisions.

Given at Rome, from the offices of the Sacred Congregation for the Propagation of the Faith, on the 18th of March, 1921.

G. CARD. VAN ROSSUM, Prefect.

S. C. Laurenti, Secretary.

II. DECREE

MOST REVEREND FATHER LUDOVICUS,

CARDINAL BÉGIN, ARCHBISHOP OF QUEBEC, IN THE CANADIAN VICARIATE, IS APPOINTED PRESIDENT OF THE PIOUS UNION OF THE CLERGY FOR MISSIONS.

With excellent foresight, the most astute prelates of the Canadian nation, desiring to comply with the wishes of the Supreme Pontiff, that the works for foreign missions may be fostered more and more everywhere, considered it necessary to establish a Pious Union of the Clergy for Missions, which already exists in many places.

[*Latin ed. p. 355*]

355 The Holy Congregation for the Propagation of the Faith, seeing the abundant fruits borne by the most important nations, has decreed that sodalities be established even in that same Canadian region. Therefore, this Holy Congregation, for the propagation of the Christian Name, and so that the happy beginnings and the widest possible scope of the aforementioned pious association may be ensured, has, by a prior decree, established and appointed as its President for the entire Canadian region, the Most Reverend and Most Reverend Cardinal Lewis Nazarius Bégin, Archbishop of Quebec, with all the rights and privileges pertaining to such an office. Notwithstanding any objections to the contrary. Given in Rome, from the offices of the Holy Congregation for the Propagation of the Faith, on the 31st of March, 1921. G. M. CARD. VAN ROSSUM, Prefect. L. © S. C. Lawrence, Secretary.

III. DECREE CONCERNING THE SEPARATION OF A TERRITORY FROM THE VICARIATE AND THE ADDITION THEREOF TO THE APOSTOLIC PREFECTURE OF LEOPOLDVILLE.

Since the Apostolic Prefecture of Matadi in the Belgian Congo, established almost ten years ago, has made joyful progress, with God's favor, it has seemed opportune to extend its territory, now somewhat restricted, to a greater extent, so that a more ample and spacious field might be opened up for the laborers of the Gospel and for apostolic works. Therefore, in plenary meetings held on the 23rd of the current month, the Most Reverend Fa-

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thers of this Holy Council, for the Propagation of the Christian Name, have decided that the northeastern part of the region of Mayomba, which now belongs to the Apostolic Vicariate of Leopoldville, be separated from it and added to the aforementioned Apostolic Prefecture of Matadi, so that the aforementioned Vicariate and Prefecture are divided by a new boundary, which, starting from the Congo River between Borna and Kionzo, proceeds to the end of the French Congo, subject to further, more specific determinations to be approved by this Holy Congregation. This decision of the Most Reverend Fathers was approved by His Most Holy Eminence, the Most Reverend Benedict, of the Divine Providence, Pope XV, in an audience on the same day and year, by the following:

[*Latin ed. p. 356*]

356 Acta Apostolicae Sedis - The official record of this Congregation. The Secretary having reported the matter, His Holiness graciously approved it and ordered the present decree to be issued. Given at Rome, from the offices of the Sacred Congregation for the Propagation of the Faith, on the 31st of May in the year 1921. G. M. CARD. VAN ROSSUM, Prefect. L. © S. C. Laurenti, Secretary. IV APPOINTMENTS By Apostolic Briefs, the following were appointed: on May 26, 1921. — The Apostolic Vicar of Lower California in Mexico, the Reverend Silvinus Ramírez, from the Mexican clergy. — The Apostolic Vicar of San León de Amazonas, the Reverend Father Söterns Redondo Herrero, from the Order of the Eremites of Saint Augustine. V DESIGNATIONS OF ORDINARIANS FOR APPEAL According to canon 1594 § 3 of the Code of Canon Law: The Apostolic Vicar of Antofogasta designated the Archbishop of Saint James of Chile for appeal. Likewise, the Apostolic Vicar of Tarapacá designated the same Archbishop of Saint James of Chile. These designations were graciously approved by His Most Holy Lordship, Pope Benedict XV, on June 2, 1921.

[*Latin ed. p. 357*]

SACRED CONGREGATION OF RITES

I. IN MECHLINIEN, OR MARSEILLES.

CONCERNING THE BEATIFICATION AND CANONIZATION OF THE SERVANT OF GOD, MARY OF JESUS DELUIL-MARTINY, FOUNDRESS OF THE CONGREGATION OF THE DAUGHTERS OF THE SACRED HEART.

Among the supports by which the Provident God elevates and strengthens the Catholic Church, are counted the servants of God, men and women, strong and merciful, whose excellent virtues, exercised for the glory of God and the salvation of souls, are celebrated with lasting fame and praise. In

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the past century, among such women, shone Mary of Jesus Deluil-Martiny, foundress of the Society of the Daughters of the Sacred Heart. The house of this Institute, located in Berchem, near Antwerp, within the boundaries of the archdiocese of Mechlin, was built by this pious woman, along with an adjoining church, which, dedicated to the Most Sacred Heart of Jesus, is adorned with the title and dignity of a minor basilica.

In Marseilles, born on May 28, 1841, to a noble and Christian family, Paul Deluil-Martiny and Anne Marie Françoise de Solliers, was their first of five daughters, to whom, in the sacred rite of baptism, the names Mary, Carola, and Philomena were given. At the age of eight, she was placed in the first monastery of the Order of the Visitation of the Blessed Virgin Mary in Marseilles, where she perfectly responded to the wishes and care of her parents and the nuns, and gave an excellent example of intelligence and diligence. Three years later, on December 22, 1852, she was admitted to the Holy Eucharist, being well disposed for this sacred banquet and very inclined to the exercises of religion and piety.

When her sister Amelia was taken to the monastery of the Sisters of the Sacred Heart in Lyon by her parents, she also requested and obtained permission to stay there for a time to pursue her studies, which she completed after two years, with progress in knowledge and virtue, and to the edification of her sisters. Returning to Marseilles, she first visited the town of Ars, desiring ardently to see the holy parish priest, John Baptist Vianney, and to hear and follow his counsel concerning her vocation.

Having composed her mind and renewed by the exhortations of the holy man, she returned to her family home, where, devoted to family affairs, while her parents—

[*Latin ed. p. 358*]

358 Acta Apostolicae Sedis - Commentarium Officiale. She devoted herself to assisting others, and, being older and a teacher, she guarded and instructed her brothers and sisters in good morals and suitable disciplines, setting an example for them. Given her natural talents, both of body and mind, and her lineage, she seemed destined for honorable and noble marriages. However, she was inwardly drawn to a religious life, and, setting aside the advice, encouragement, and authority of others, she persevered in prayer, seeking that clear light and safe path to fulfill the will of God. At the same time, with holy zeal, she began to establish and promote a work called the "Garde d'honneur," dedicated to the honor of Christ Jesus. Concerning this flourishing association, the Servant of God reports in a letter that, during the first three years, the work had grown and expanded to such an extent that more than seventy bishops were affiliated with it, and many indulgences were granted to promote its spread. Furthermore, canonical foundations were established in twenty-five dioceses, and there were eighty-eight thousand members, and salutary and consoling

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fruits were being experienced in many parishes and religious communities. Therefore, she concludes her report: "All these things testify that God has blessed these 'Garde d'honneur,' and that He, the Heart of Jesus, directs their progress." Feeling herself called to a religious state and drawn to it with gentleness, she revealed this to one of the Fathers of the Society of Jesus, John Calage, and she completely submitted herself to his guidance and obedience. At that time, she had not yet given a name to any religious family, and she was still uncertain about her special vocation and election; nevertheless, she kept her mind ready to receive heavenly light and guidance. In the year 1867, towards the end of the year, on the feast of the Immaculate Conception of the Blessed Virgin Mary, illuminated and moved by a supernatural light, and with the consent of her director, she bound herself to perpetual chastity. Subsequently, with the divine will becoming clearer each day, and with the encouragement of her director, the Servant of God proposed to herself the founding of a new work; therefore, she went to Antwerp to receive obedience from the Archbishop of Mechlin. The work consisted of the foundation of an institute of sisters, virgins, who would offer themselves continuously in sacrifice to the heavenly Spouse, to repair the offenses offered to God by the faithful, and especially by those who ought to be the salt of the earth. The institute flourished and, under the title of "Congregation of the Daughters of the Heart of Jesus," was officially approved by the same Archbishop of Mechlin on December 9, 1872. The first house of the same was established in the town of Berchemles-Anvers, the second in the city of Aquensi, and the third near Marseilles, in the village of La Servianne, where the sisters of Aquensi took refuge in 1882, due to religious persecution. Later, other houses were established, especially in Rome, after the death of the foundress.

[*Latin ed. p. 359*]

The Most Holy Congregation of Rites, in its 359th decree, recognizes the principal seat and domicile of the Institute. The definitive approval of the rules, after overcoming not inconsiderable obstacles, was happily obtained and sanctioned by the Apostolic See on February 2nd of the year 1902. The Most Reverend Archbishop of Mechlin was appointed to govern the new Society. The Servant of God, yielding and obedient, demonstrated prudence and charity in all temporal and spiritual affairs pertaining to the Institute, while diligently exhorting her members and daughters to observe the rules and to strive for perfection of life, both by word and example, as well as by fear and love. It happened that a certain Ludovicus, residing in the village of Chave in the house of Marseilles, who had been employed in cultivating the land since 1883, was repeatedly dismissed due to his negligence and obstinacy. However, when he requested forgiveness and promised amendment, he was retained out of benign indulgence and tolerance by the gardener. But on February 27th, 1884, he suddenly burst into

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the field where the Sisters were walking after midday, and, with a double blow from a ball fired from a firework, cruelly struck the Reverend Mother Mary of Jesus, causing her to bleed profusely and bringing her to the brink of death; then, he turned his fury upon the General Assistant, leaving her half-dead. The confessor, Father Calage, was immediately summoned and arrived, administering the sacraments to the dying Servant of God, and remained with her until her death, hearing her last words of perfect submission to the divine will and of complete remission of the crime of homicide. This sacrifice, offered by the foundress to God, was also for the benefit and growth of her work and of the Institute of the Daughters of the Sacred Heart of Jesus. After a solemn funeral in the parish church, with a large gathering and devotion of the faithful, the body of the Servant of God was buried in the cemetery of St. Peter, in the family vault of the Deluil-Martiny family, and on November 11th, 1899, in a new vault of the Daughters of the Sacred Heart of Jesus. When the religious communities in France were suppressed, the precious remains of the Servant of God were transferred to Belgium and, on August 29th of the year 1907, were duly recognized and found intact in the town of Berchem, under the protection of the Basilica of the Most Holy Heart of Jesus, where they rest in peace. Meanwhile, the fame of the sanctity of Mary of Jesus Deluil-Martiny, especially of her piety towards God, her charity towards her neighbor, her penance, and her reparatory satisfaction, has been increasing and persevering more and more from her life until this time, opening the way for the Informative Process of Mechlin, and for other Inquisitorial investigations in Marseilles, Turin, Lyons, concerning the same fame. These matters, once completed and transmitted to the Congregation of Sacred Rites in Rome, and when, observing the order of law, all is ready to proceed further, at the urgent request of the Most Reverend Father Julius Saubat, a priest of the Sacred Heart of Jesus from Bethar-

[*Latin ed. p. 360*]

Acts of the Apostolic See - Official Commentary 360, the promoter of this cause, having carefully considered the documents, for the signing of the Commission for the introduction of this cause, with the request of the Royal Celisitude, the Most Reverend Cardinals, Archbishops, and Bishops, as well as the Superiors of Orders, Congregations, and Societies of both sexes, under the auspices of the Institute of the Daughters of the Sacred Heart of Jesus, and other illustrious men and women, the Most Reverend and Most Illustrious Lord Cardinal Vincent Vannutelli, Bishop of Ostia and Palestrina, Dean of the Sacred College, and Promoter or Relator of this cause, in the ordinary meetings of the Congregation of Sacred Rites, convened at the Vatican, proposed the following question for discussion: Should the Commission for the introduction of the cause be signed, in this case and for this purpose? And the Most Reverend Fathers, Prefects

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of the Sacred Rites, after the report of the aforementioned Most Reverend Promoter, having heard the voice and the written statement of the Reverend Father Angelo Mariani, General Promoter of the Faith, after careful discussion and consideration, they decided to respond: The Commission for the introduction of the cause should be signed, if it pleases the Most Holy. On May 24th of the year 1921. Subsequently, these matters were reported to the Most Holy Lord Benedict, Pope XV, by the undersigned Cardinal, Prefect of the Congregation of Sacred Rites, and His Holiness, having approved the decree of the aforementioned Sacred Congregation, deigned to sign with his own hand the Commission for the introduction of the cause of the Servant of God, Mary of Jesus Deluih-Martiny, foundress of the Congregation of the Daughters of the Sacred Heart of Jesus. On the 25th of the same month and year.

* A. CARD. E p. Portuen. et S. Rufinae, VICO, S. B. C. Prefect. L. © S. Alexander Verde, Secretary.

II. CONCERNED WITH THE BEATIFICATION OF THE SERVANT OF GOD, OR, AS IT IS CALLED, THE MARTYRDOM OF THE SERVANT OF GOD DAN, ALSO CALLED GIAN.

In the middle of the past century, in the town of Binh-Cang, in the southern province of Khanh-hoa of the Annamese kingdom, in the region of Nha-Trang of Eastern Cochinchina, was born the Handmaid of God, Dan, also called Gian, of honest and Christian parents, who were very poor, whose obedience, respect, and love...

[*Latin ed. p. 361*]

The Holy Congregation of Rites commends, as most praiseworthy, not only the sweetness and fortitude of the soul, but also the testimonies of eyewitnesses. During the impious and cruel persecution carried out by King Tu-duc from the year 1858 to the year 1862, in which that province was devastated, this admirable young girl, then thirteen years of age, appeared. Having been cast into prison, while other captives and even her own parents abandoned the Catholic faith, she remained steadfast and constant in the holy religion. For more than two years, she was subjected to attempts to induce her to renounce her faith, but she, with the firmest resolve in her religious purpose, had to endure many and prolonged torments, imprisonment, chains, hunger, insults, and floggings, which, repeated and inflicted once or twice a week, left her body covered with wounds, both numerous and bloody, and teeming with vermin. To the pagans, and to friends and relatives who urged her to apostatize, she, with fortitude and in a Christian manner, responded that she had given her faith to Christ and would never abandon it. A lay Christian and head of the Christians of Cho-moi, along with others of the same confession, astonished and moved by compassion, asked the Handmaid of God how, at such a tender age, in a frail sex and in a body exhausted by suffering and weakened by torments, she could

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resist so many and such severe blows. The young girl Dan replied that she overcame all that was opposed to her through constant prayer and the grace of Christ: these words were suggested to her by the same Holy Spirit who, in the person and through the voice of the Apostle Paul, said: "I can do all things in him who strengtheneth me." The prayer, which the Handmaid of God frequently used and which she called her prayer of persecution, as contained in the French version of the original text, contains the symbols and acts of Faith, Hope, and Charity in God, the One and Triune, Creator of heaven and earth, and in the Only Begotten Son of God, Jesus Christ, our Redeemer, whose most holy merits and mysteries she recalls with a grateful heart and proclaims aloud, imploring forgiveness for her sins and complete mercy from Him. Finally, the Divine Majesty, implored with supplication, exerted the power of nature and grace, and bestowed firm strength in that trial, so that, remaining faithful and steadfast until death, she might exchange this brief and bitter life, never tainted by apostasy, for eternal and blessed life. This was not delayed, for the young girl, having endured all torments, surrendered her innocent and religious spirit to God, deserving a rich reward in heaven. The body of the Handmaid of God, after the funeral, which was duly celebrated with a large gathering of the faithful and with devotion, did not immediately receive a worthy tomb, but after some years, a native priest of Vân collected her bones and, together with the remains of eight other heroes who had perished in the same persecution, buried them honorably in the cemetery of Cho-moi. Among these was Joseph.

[*Latin ed. p. 362*]

362 Acta Apostolicae Sedis ^ Official Commentary: This matter, for which a cause has recently been introduced before the Sacred Congregation of Rites. Nor should the divine vengeance upon persecutors be passed over in silence. For a certain tyrant, named An-Thuong, comparable to the impious king of Antioch described in the sacred history of the Maccabees, shortly thereafter, struck down by a sudden and grievous illness, and separated from his family because of the corruption, putrefaction, and vermin in his limbs and entrails, met a shameful death. His body, although wrapped in silk cloths and kept in a noble and solid chest from Gafsa, nevertheless repelled all those nearby and strangers alike with its unbearable stench. It was placed on a ship, in order to be taken to the place called Hué and buried in the family tomb, but it happened that the ship departed from the port, but neither returned, nor approached the shore and the designated place: for it suffered a shipwreck in the middle of the sea, along with the body of the deceased and the other people and goods on board. A spectacle, a warning, and an example of divine indignation and vengeance upon the impious and cruel tyrants and persecutors of the true religion and the holy Church! Meanwhile, the fame of the sanctity and martyrdom, more and more, spread throughout that

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province and region, which prompted the Apostolic Vicar of Cochin China to prepare an informative process concerning it, and also to supplement the omission that occurred in the previous process concerning the Cause of the Servants of God Simeon Berneux, Bishop of Capsus and Apostolic Vicar of Korea, Paul Chau, and their companions, which had already been introduced, by decree of the Sacred Congregation of Rites, on November 13, 1918, and also to obtain, in summary order of law, the aggregation of the girl Dan and the other twenty heroes of Cochin China, who are related to the aforementioned Cause. Therefore, the acts of the informative processes, by virtue of the decree of the Sacred Congregation of Rites of March 6, 1920, were completed in summary form and with due observance of the instructions of the Promoter General of the Faith, in the Apostolic Vicariate of Cochin China, and transmitted to the aforementioned Sacred Congregation, and from these authentic documents, the aforementioned information about the origin, life, and deeds of the Servant of God were obtained. Now that all things are ready to proceed further, at the urgent request of the Most Reverend Father Eugenio Garnier, the promoter of the Cause, and the votes of the entire Society of Paris for foreign missions, and with the attentive letters of several Eminences of the Holy Roman Church, Archbishops and Bishops, and also of the Superiors General of the Congregation of the Missions, the Society of Mary, the Priests of Saint Sulpitius, and the Moderator of the Seminary of the Society of Paris for foreign missions, His Eminence and Most Reverend Lord Cardinal Januarius Granito-Pignatelli di Belmonte, Bishop of Albano Laziale, and the same Cause's Promoter or Relator, in the ordinary meeting of the Sacred Congregation of Rites,

[*Latin ed. p. 363*]

The Holy Congregation of Rites, convened in the Vatican buildings on the 363rd day, proposed the following question for discussion: Should a Commission for the introduction of the Cause be appointed, in this case and for the purpose in question? And the Most Reverend and Most Reverend Fathers, Prefects of the Sacred Rites, after hearing the report of the Most Reverend Pontiff himself, and after hearing the voice and written testimony of the Reverend Father Doctor Angelo Mariani, General Promoter of the Faith, having carefully considered all matters, decided to write: A Commission for the introduction of the Cause of beatification or declaration of martyrdom should be appointed, if it pleases the Most Holy [Father]. On May 24, 1921. All of which, having been reported to the Most Holy Lord, our Pope Benedict XV, through the undersigned Cardinal, Prefect of the Congregation of Sacred Rites, His Holiness, having approved the decree of the aforementioned Sacred Council, deigned to sign with his own hand the Commission for the introduction of the Cause of beatification or declaration of martyrdom of the Servant of God, Dan, or Gian, who, as is said,

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was killed by idolaters in hatred of the Faith. On the 25th day of the same month and year. A. CARD. VICO, Bishop of Porto e Santa Rufina, Prefect of the Sacred Rites Congregation. L. © S. Alexander Verde, Secretary. III. A PRIVILEGE OF THE ROMAN PATRIARCHAL BASILICA OF SAINT PETER IN THE VATICAN AND OF SAINT PAUL IS EXTENDED. At the humble request of the Reverend Chapter of the Vatican Basilica of Saint Peter in the City, with the consent of the Most Reverend Cardinal Archpriest, the community, and having been reported to the undersigned Cardinal, Prefect of the Congregation of Sacred Rites, the Most Holy Lord, our Pope Benedict XV, emulating the exceptional generosity of his predecessors, and demonstrating piety towards the Blessed Peter, the Prince of the Apostles and the Vicar of Christ, through whom the flock is guided, and through his successors, the Pontiffs, and the Holy See, Rome, the head of the world, the divine religion is widely manifested and prevails, has granted a special privilege through letters in the form of a Brief dated June 17, 1836, and by decree of the Sacred Rites Congregation of February 9, 1838, to the Mass of the Holy Apostles Peter and Paul in the same Basilica, to be celebrated at their Altar.

[*Latin ed. p. 364*]

364 Acta Apostolicae Sedis - Official Commentary.

A hypogeum, constructed beneath the Major Papal Altar, has been so prudently and with such Apostolic authority regulated and expanded, namely:

I. That in the Masses celebrated in the crypt of the aforementioned Altar, dedicated to the Most Holy Apostles Peter and Paul, not only on their feast day and throughout the octave, but also in other Masses which are permitted to be celebrated there throughout the year, with the exception of the days of Epiphany, Palm Sunday, the Greater Week, the Paschal Solemnity, Ascension, Pentecost, the Most Holy Trinity, the Most Holy Body of Christ, the Nativity of Our Lord Jesus Christ, and the Assumption of the Blessed Virgin Mary, it shall be permitted to all and each priest celebrating to add the "Gloria" and the "Credo."

II. That this privilege, pertaining to Masses of the Most Holy Apostles Peter and Paul, with the "Gloria" and the "Credo," may be extended to three altars within the same Basilica, namely, the Altar of the Chair of St. Peter the Apostle, the Altars of St. Simon and St. Jude the Apostles, and the Altars of St. Processus and St. Martinian, the Martyrs; but so that only the following may avail themselves of it: 1) Eminences of the Sacred Roman College, Cardinals; 2) Archbishops and Bishops, and other ordinaries of places, who, according to the prescriptions of the canons of the Code of Canon Law, come to Rome to venerate the tombs of the Apostles Peter and Paul, and present themselves to the Roman Pontiff; 3) Clergy who are pilgrims, established in ecclesiastical dignity, and leaders of groups

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of pilgrims who come to visit the Basilica; and 4) Newly ordained priests, within fifteen days of having received the sacred ordination.

III. That this extension of the privilege may be applied on each day of the year, except for double feasts of the first and second class, Sundays, and other feasts that are to be observed, as well as on weekdays, vigils, and octaves of the first and second order, which are privileged. All rubrics and other regulations being observed. This present decree is valid forever. Contrary provisions, whatever they may be, are of no force, even those worthy of special mention.

June 22, 1921.

* A. CARD. VICO, Most Reverend Bishop of Portuense and Rufinense, Prefect.

* L. * S. Alexander Verde, Secretary.

[*Latin ed. p. 365*]

The Roman Curia Diary, 365.

DIARY OF THE ROMAN CURIA.

SACRED CONGREGATION OF RITES.

Tuesday, June 21, 1921, in the Apostolic Palace at the Vatican, before the august presence of the Holy Father, the General Congregation of the Sacred Rites was held, in which the Eminent and Reverend Cardinals, the Reverend Prelates, and the theological consultants, who comprise the same, discussed and gave their vote on the question concerning the heroism of the virtues exercised by the Venerable Servant of God, Andrea Uberto Fournet, a secular priest, Founder of the Congregation of the Daughters of the Cross, commonly called the "Sisters of St. Andrew."

Tuesday, June 28, 1921, in the Apostolic Palace at the Vatican, the Particular Congregation of the Sacred Rites was held, in which the Eminent Cardinals and the Reverend Prelate Officials, who comprise the same, discussed and gave their vote on the following matters:

1) Concerning the validity of the Apostolic Process conducted in the Curia of Turin regarding three miracles, which are asserted to have been wrought by God through the intercession of the Venerable Giuseppe Cafasso, a secular priest, director of the Ecclesiastical College of Turin;

2) Concerning the validity of all the Apostolic and Ordinary Processes of the Cause of Beatification and Canonization of the Venerable Filippina Duchesne, of the Society of the Sisters of the Sacred Heart of Jesus;

3) Concerning the validity of all the Apostolic and Ordinary Processes of the Cause of Beatification and Canonization of the Servant of God, Maria Bernarda Soubirous, of the Sisters of Charity and Christian Instruction of

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Névers;

4) Concerning the validity and significance of the Apostolic Process conducted in the Curia of Verona regarding the general reputation for holiness of the Venerable Gaspare Bertoni, a secular priest, Founder of the Congregation of the Priests of the Sacred Stigmata of Our Lord Jesus Christ;

5) Concerning the validity and significance of the Apostolic Process conducted in the Curia of Aix regarding the general reputation for holiness of the Servant of God, Paolina Luisa De Pinczon, Foundress of the Congregation of the Sisters of Our Lady of Grace, called the Sisters of St. Thomas of Villanova;

6) Concerning the validity of the three Apostolic Processes conducted, one in the Curia of Arras, another in that of Paris, and the third in that of Bayonne, regarding miracles which are asserted to have been wrought by God through the intercession of the Servant of God, Teresa of the Child Jesus, of the Discalced Carmelites of the Monastery of Lisieux.

[*Latin ed. p. 366*]

366 Acta Apostolicae Sedis - Official Commentary 7) concerning the cult, in obedience to the decrees of Urban VIII, never offered to the Servant of God Andrea Filomeno Garcia Acosta, a lay professed member of the Order of Friars Minor; and finally 8) concerning the cult, as above, never offered to the Servant of God Gioacchina De Vedruna De Mas, Foundress of the Congregation of the Sisters of Charity of the Carmelites.

APOSTOLIC DATARY*

His Holiness, with a letter from His Eminence, the Apostolic Datary, dated March 14, 1921, has graciously deigned to appoint the Reverend Professor Father M. Enrico Buonpensiere, O.P., Theologian of the Apostolic Datary.

SECRETARY OF STATE

By letters from the Secretary of State, the Holy Father has graciously deigned to appoint:

June 20, 1921

June 24

June 25

June 26

June 28

July 5

July 19

The Reverend Father Luigi Copéré, of the Society of Mary, Consultor of

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the Holy Congregation Consistorial.

The Reverend Monsignor Aidan Gasquet, Protector of the Sisters of the Sacred Hearts of Jesus and Mary, of Chigweil.

Monsignor Pietro Fumasoni-Biondi, Archbishop titular of Dioclea, and Secretary of the Holy Congregation for the Propagation of the Faith, and Monsignor Giuseppe Pizzardo, Substitute of the Secretary of State, Consultors of the Supreme Holy Congregation of the Holy Office.

His Eminence Cardinal Camillo Laurenti, Protector of the Society of African Missions of Lyons.

Monsignor Francesco Borgongini-Duca, Pro-Secretary of the Holy Congregation for Extraordinary Ecclesiastical Affairs.

His Eminence Cardinal Giovanni Tacci, Protector of the Sisters of the Christian Schools of Mercy of Saint-Sauveur-le-Vicomte (Coutances).

The Reverend Father Giacomo Garcia, of the Order of the Augustinians, Consultor of the Holy Congregation of the Sacraments.

* To be substituted for the corresponding section on page 276.

[*Latin ed. p. 367*]

367 From the Diary of the Roman Curia: By Apostolic Briefs, the Holy Father has deigned to appoint: Domestic Prelates of His Holiness: June 1st, 6th, 7th, and 9th, 1921. Monsignor Giuseppe di Biase, of the diocese of Boiano. Monsignor Amedeo Bussi, of the diocese of Tivoli. Monsignor Carlo Parozzi, of the diocese of Massa Carrara. Monsignor Giuseppe M. da Cruz Simeäo, of the archdiocese of Evora. Monsignor Francesco Hilber, of the diocese of Bressanone.

HONORS: By Apostolic Briefs, the Holy Father has deigned to bestow the following honors:

Knighthood of the Order of Saint Gregory the Great, civil class: April 30th, May 15th, 18th, and June 21st and 22nd, 1921.

To Mr. Ernesto Cartiaux, of the diocese of Namur.

To Mr. Nicola Perrano, of the diocese of Chiavari.

To Mr. Doctor Carlo Carletti, of Rome.

To Mr. Bernardo Me. Poland, of the diocese of Liverpool.

To Mr. Enrico Kuijpers, of the diocese of Harlem.

The Commanderate of the Order of Saint Sylvester Pope: June 14th, 1921.

To Mr. Knight Vincenzo Antonelli, of Rome.

The Knighthood of the Order of Saint Sylvester Pope: June 14th, 1921.

To Mr. Francesco Quadrani, of Rome.

To Mr. Giovanni Daverio, of the archdiocese of Milan.

MAJORDOMO OF HIS HOLINESS: APPOINTMENTS:

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By the Letters of His Eminence, Monsignor Majordomo, the Holy Father has deigned to appoint:

Extraordinary Secret Chamberlains of His Holiness: October 19th, 1920.

Monsignor Emeterio Arratia, Pro-Vicar General of Castres, of the Republic of Chile.

June 2nd, 1921.

Monsignor Emilio Valeri, of the diocese of Tivoli.

[*Latin ed. p. 368*]

368 Acta Apostolicae Sedis - Official Commentary, June 11, 1921. Monsignor Guido Poletti, of the archdiocese of Turin.

Monsignor Amedeo Bernardini, of Rome.

Monsignor Giuseppe Massari-Elia, of the archdiocese of Bari.

Monsignor Giuseppe Mutschlechner, of the diocese of Bressanone.

Monsignor Francesco Tschann, of the same diocese.

23. Monsignor Pietro Weber, of the diocese of Treves.

Monsignor Giulio Chiavom (Rome).

Monsignor Costantino Aiuti (Rome).

Secret Chamberlains of Sword and Cape, honorary, of His Holiness: May 6, 1921.

The Baron Camillo de Warenghien, of the archdiocese of Paris.

June 11. The Commendatore Domenico Silvestri, of the archdiocese of Perugia.

The Count Fabio Carducci Artenisio, of the archdiocese of Taranto.

The Signor Luigi M. Gabello Lapiedra, of the diocese of Madrid.

The Count Bandino Ugurgieri della Berardenga, of the archdiocese of Siena.

Honorary Chamberlain of Sword and Cape, honorary, of His Holiness: June 11, 1921.

The Cavaliere Francesco Zonghi Lotti, of the diocese of Fabriano.

The Signor Leone Klecki, of the archdiocese of Warsaw.

The Signor Tullio Gualdi, of Rome.

NECROLOGY: June 17, 18, 1921.

Monsignor Gaetano Pizzi, Bishop of S. Severo.

Monsignor Anselm Evangelista Sansoni, Bishop of Cefalù.

[*Latin ed. p. 369*]

Attnus XIII - Vol. XIII, August 1, 1921, No. 10. ACTA APOSOLICAE SEDIS, OFFICIAL COMMENTARY. ACTA of BENEDICT XV, a CHIROGRAPH concerning NATIONS and INDULGENCES, promoting concord and aiming at the reconciliation of the Italians. PRAYER: O God of good-

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ness and forgiveness, with hearts pierced, we gather around your altars and implore mercy. After the horrors of war, the greatest scourge is this fierce hatred by which men of the same family pursue and kill each other for partisan factions. The land, in which Christian piety has smiled most, and which has been the cradle of all kindness, is about to become a bloody field of civil strife. Mercy, O Lord! You, who have revealed in the new law the forgiveness of offenses and the love of enemies, may those who are not enemies but brothers embrace each other; may all, laying down the weapons that spill blood, be able to repeat in the sweet common tongue the prayer you have taught us: Our Father, who art in heaven, and may, seeing your Son open his heart and arms to his crucifiers, their souls be flooded with the most fervent charity, so that they may repeat with humble confidence: Forgive us our debts, as we forgive our debtors. Virgin Immaculate, Queen of hearts, descend among your children and let your voice of Mother be heard: You alone can, through the ACTA, vol. XIII, n. 10. — 1-8-921. 26.

[*Latin ed. p. 370*]

370 Acta Apostolicae Sedis - Official Commentary: through your intercession, reconciling them with God and reconciling them with one another: you alone can allow them to taste the sweetness of that peace, which is a prelude to eternal life, and so it shall be. We grant to all the faithful, for each time they recite this prayer, an indulgence of 300 days, and to those who have recited it every day, a plenary indulgence once a month, under the usual conditions. From the Vatican, on the day of our feast day, July 25, 1921. BENEDICT XV.

APOSTOLIC CONSTITUTION: Concerning the Blessed Virgin Mary of Montserrat, the Prelature Nullius of Rio Branco, and the Abbey of the Blessed Virgin Mary of Montserrat in the City of Fluminis Ianuarii.

BENEDICT, Bishop, Servant of the Servants of God, for the perpetual memory of the matter:

Our predecessors, the Roman Pontiffs, have always shown a benevolent ear to the prayers offered by the Order of Saint Benedict, knowing that the desires of the monks of Saint Benedict are beneficial both to the glory of the Church and to the good of civil society.

Now, since the Apostolic Administrator of the Brazilian Congregation of the Order of Saint Benedict recently requested from this Apostolic See that the Prelature Nullius of Rio Branco be assigned to the Abbey of the Blessed Virgin Mary of Montserrat in the City of Fluminis Ianuarii, so that the Abbot for the time being of said abbey would assume the administration of the aforementioned prelature, and would be obliged to reside there, yet with the condition that through a Vicar and other suitable religious men of that place, the governance and care of souls would be undertaken, We,

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following in the footsteps of Our predecessors...

[*Latin ed. p. 371*]

The acts of Pope Benedict XV, page 371, having been carefully considered in all respects, and with the favorable vote of the Apostolic Nuncio in the Brazilian territory and the Abbot Primate of the Order of Saint Benedict, we have decided to approve the following: Therefore, to the extent that it is necessary, and with the consent of those who are concerned or who may presume to be concerned, we aggregate and add to the Abbey of the Blessed Virgin Mary of Montserrat of Rio de Janeiro, along with all and each of those who reside and live there, the territory now called Rio Branco. These present letters, and everything contained therein, even if any of those who are concerned or who may presume to be concerned have not heard of them, and have not agreed to the foregoing, even if they are worthy of express, specific, and individual mention, shall never, at any time, be subject to the defect of surreptition, or of invalidity, or of nullity, or of our intention, or of any other defect, whether substantial or unforeseen; but rather, they shall always be and remain valid, having been made and issued with full knowledge and authority, and shall have and obtain their full and complete effect, and shall be inviolably observed by all to whom they apply; and if, contrary to this, anything should happen, knowingly or unknowingly, by anyone, we will and do declare that it shall be entirely void and of no effect. Therefore, having established the foregoing, we entrust the venerable brother Henry Gasparri, Archbishop titular of Sebastes, Apostolic Nuncio in the Brazilian Republic, with the execution of these matters, and we grant him the necessary and appropriate powers, including the power to delegate, to any person holding an ecclesiastical office, to carry out the aforementioned purpose, imposing on him the obligation to send to the Sacred Congregation Consistorial within six months, calculated from the date of these letters, an authentic copy of the completed execution. Notwithstanding the rules contained in synodal, provincial, general, and universal councils, special or general Apostolic constitutions, and any other provisions of our predecessors, the Roman Pontiffs, and all other contrary provisions whatsoever. We decree that these letters, even if transcribed, printed, and provided with the endorsement of a public notary and sealed with the seal of someone holding an ecclesiastical office, shall have the same full faith in court and out of court as if the original were exhibited or shown. Therefore, no one shall be permitted to infringe upon or presumptuously contradict what is established in these letters of ours regarding aggregation, decree, commission, mandate, derogation, and our will; if anyone should attempt to do so.

[*Latin ed. p. 372*]

The Acts of the Apostolic See presume that the indignation of Almighty

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God and of the blessed Peter and Paul, His Apostles, will be aroused if this is not the case. Given in Rome, at Saint Peter's, in the year of Our Lord one thousand nine hundred and twenty-one, on the thirteenth day of the month of May, in the seventh year of Our Pontificate.

* C. CARD. DE LAI, Bishop of Sabina. Ordinary of the Consistorial Congregation. Secretary.

Raphaël CARD. CAGIANO, S. R. E. Chancellor.

Ludovicus, Protonotary Apostolic, Schüller.

Loco >$< of lead, Register in Canon Law, Volume XXIII, number 31.

APOSTOLIC LETTERS

1. A WORK APOSTOLIC, FOUNDED BY JESUS CHRIST, THE WORKMAN, IS ESTABLISHED IN GENEVA, PERMANENTLY, AS A PRIMARY OR CENTRAL SOCIETY, WITH THE FACULTY OF ADDING SOCIETIES OF THE SAME NAME EVERYWHERE THROUGHOUT THE WORLD.

BENEDICT XV.

For the sake of future remembrance.

It has been the custom and practice of Our Predecessors, the Roman Pontiffs, that pious societies, established for the exercise of works of piety and charity, so that they may more fully achieve the purpose set before them, be adorned with special honors and provided with suitable privileges.

Indeed, it has come to Our attention that among these societies, that founded by Our beloved son, Julius Schuh, a priest and parish priest, in the parish church of Saint Clotilde, in the city of Geneva, under the title "Work Apostolic founded by Jesus Christ, the Workman," deserves to be especially encouraged.

This pious work, established in the year 1916, with the approval of the Ordinary, was founded for the care and improvement of the salvation and sanctification of workers, especially through the merits and the hidden example of the life of Our Lord Jesus Christ in the town of Nazareth.

And We, for whom there is nothing more ancient than the concern that those who earn their living through manual labor should also be provided for in their spiritual needs, have readily judged it right to favor the undertakings of this same work.

Therefore, with joy, We have learned that the apostolic Work itself...

[*Latin ed. p. 373*]

The acts of Pope Benedict XV, page 373, record that this work, highly praised by many most eminent bishops, has spread throughout Europe and has even reached distant regions of America; and since the current Director

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of this work has earnestly requested that it be raised to the Primary level, we have, with a willing heart, decided to grant this request. Therefore, having carefully considered all the circumstances of the matter, and with the Most Reverend Cardinals of the Congregation for interpreting the decrees of the Council of Trent, we, by our Apostolic authority, hereby establish and institute, in perpetuity, the apostolic work of Jesus Christ, the Worker, canonically established in the parish church of Saint Clothilde in the city of Geneva, as a Primary or Central institution, with the customary privileges. Furthermore, by the same Apostolic authority, we grant to the Director and officials, both present and future, of the aforementioned institution, the power to incorporate and communicate with other works of the same name and institution, both those already established and those to be established, all and each of the indulgences and spiritual graces granted to this apostolic work by this Holy See, provided that these may be communicated with the others. We decree that these present letters shall always remain valid and effective, and shall have their full and complete effect, and that we shall, now and forever, support this apostolic work, so established as a Primary or Central institution; and that it shall be duly judged and determined, and that anything to the contrary, attempted by anyone, knowingly or unknowingly, with any authority whatsoever, shall be declared null and void from this moment. Notwithstanding any Apostolic constitutions and ordinances, and all other regulations, even those deserving of special and individual mention and exemption, to the contrary. We decree that the same faith shall be given to these present letters, or copies thereof, even printed, signed by the hand of a public notary and sealed with the seal of a person in ecclesiastical dignity or office, as would be given to the present letters if they were exhibited or shown.

Given at Rome, near Saint Peter's, under the Fisherman's ring, on the day of April, in the year 1921, in the seventh year of Our pontificate.

P. CARD. GASPARRI, Secretary of State.

[*Latin ed. p. 374*]

374. Acta Apostolicae Sedis - Official Commentary II. A NEW APOSTOLIC PREFECTURE IS ESTABLISHED: "DE TIERRADENTRO," IN COLOMBIA, A PART OF THE TERRITORY DETACHED FROM THE ARCHDIOCESE OF POPAYÁN. BENEDICT XV. For the sake of future remembrance. – Since a portion of the Archdiocese of Popayán, in the Republic of Colombia in South America, commonly known as Tierradentro, which has been entrusted to the members of the Congregation of Missionaries for the spiritual care of the indigenous populations, requires special attention and solicitude, so that the already begun endeavors may be happily increased, it has seemed opportune to establish this aforementioned portion of the Archdiocese as a separate mission. Therefore, after carefully considering all the relevant circumstances and

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with diligent study, together with the Most Reverend Fathers, Cardinals, Prefects of the Congregation for the Propagation of the Faith, we have deemed it necessary to establish the following. By Our Apostolic authority, and with the force of the present document, we separate and detach the territory called Tierradentro from the Archdiocese of Popayán; and we establish therein an independent Apostolic Prefecture, which we wish to be called "de Tierradentro," and which we decree shall remain entrusted to the members of the Congregation of Mission. The boundaries of this new Prefecture are as follows: Beginning from the confluence of the Paez River with the Rio Negro de Narvaez (at approximately 2° 44′ north latitude and 1° 28′ west longitude from the meridian of Bogotá), the boundary follows the course of this river, until it reaches the northern part of the mountains known as the Cordillera Central; thence, the boundary proceeds southward along this mountain range, until it reaches the point where the Cordillera Central is separated from the range that extends eastward; then, the boundary follows the mountain chain that constitutes the watershed between the tributaries of the Piata River and the tributaries of the Paez River (at approximately 2° 3′ north latitude and 3° west longitude); and along this mountain chain, the boundary proceeds until it reaches the source of the Quebrada de Buenos Aires stream; then, it follows the course of this same stream until it reaches its confluence with the Paez River, and then follows the course of this river downstream until it reaches its mouth at the Rio Negro de Narvaez, from where the beginning was made. We decree these things and establish them, declaring that these present Letters shall always remain firm, valid, and effective, and shall have and obtain their full and complete effect, for those to whom they are addressed.

[*Latin ed. p. 375*]

375 The acts of Pope Benedict XV, or those which may pertain to them, contain, or can contain, the most ample support; and it must be rightly judged and defined, and from this moment it is declared invalid, if anything contrary to these should be attempted by anyone, knowingly or unknowingly, with any authority whatsoever. Notwithstanding any contrary provisions. XIII Given in Rome, at Saint Peter's, under the Fisherman's ring, on the day of May, in the year 1921, in the seventh year of Our Pontificate. P. CARD. GASPARRI, Secretary of State.

IN NAPLES, the CHURCH of Saint Dominic, commonly known as a Basilica, is honored with the title of "Minor Basilica."

BENEDICT XV. For the perpetual memory of this matter.

The most ancient church, with its annexed monastery of the Order of Preachers, erected in Naples in honor of Saint Dominic the Confessor, was first consecrated by our predecessor, Pope Alexander IV. It excels in size, and is adorned with excellent works of art, as well as with the mausoleums

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of noble kings and families. By right and merit, it stands out among the sacred buildings belonging to the Order of Preachers. Frequently, members of the same Order, through choral office, through Mass, through sacred rites and ceremonies, have piously contributed to the adornment of divine worship in the same temple. Important relics of the ancient Christian people are preserved there; in particular, the bodies of Saint Tarcisius, the Martyr of Christ, and of Blessed Raymond of Capua, the Confessor, and also the arm of Saint Thomas Aquinas, the Confessor and Doctor of the Church, who resided for many years in the monastery and in a cell, later converted into a chapel, leaving precious tokens of his doctrine and sanctity to his confreres, and also the Holy Crucifix, which miraculously spoke to him.

Having considered these things, and with the fervent wishes of our beloved sons, Dominic Ruggiero, Prefect of the religious province of Naples, and Pius Ciuti, Prior of the monastic community, and with the fervent wishes of their colleagues, we have been earnestly petitioned to grant that the aforementioned sacred building be adorned with the title and dignity of a Minor Basilica, in order to perpetuate the memory of the seventh centenary of the blessed passing of Saint Dominic, the founder of the Order of Preachers, and of the dedication of the church. We, therefore, accumulate and adorn these prayers with...

[*Latin ed. p. 376*]

376 Acta Apostolicae Sedis - The official commentary of the Bishop of Neapolitana, and subsequently, the most serious support from the General Procurator of the Order of Preachers, led us to readily and willingly agree to these proposals. Therefore, after consulting with the Most Reverend Fathers, Cardinals of the Congregation for Sacred Rites, by Our Apostolic authority, and by the force of the present document, forever, We elevate the church of Saint Dominici, commonly known as "San Domenico Maggiore," located in the city of Neapolitana, to the title and dignity of a minor basilica, with all and each of the honors and privileges that rightfully belong to the minor basilicas of this esteemed city. We grant this, decreeing that these Our letters shall always remain firm, valid, and effective, and shall fully and completely produce and obtain their intended effects, and that they shall fully support those to whom they pertain, now and in the future, and that it shall be considered and judged to be rightly established and defined, and to be null and void from this moment forward, if anything contrary to these matters should occur, knowingly or unknowingly, by anyone, with any authority whatsoever. Notwithstanding any contrary provisions. Given at Rome, near Saint Peter, under the Fisherman's ring, on the fourteenth day of May, in the year 1921, in the seventh year of Our pontificate. P. CARD. GASPARRI, Secretary of State. IV. THE VICARIATE OF OUAGHADOUGOU, BOTH IN THE SUDAN, IS DIVIDED INTO TWO

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VICARIATES, ONE GALLICAN, OF BAMAKO. BENEDICT XV. For the perpetual memory of this matter. - By virtue of the supreme apostolate with which We are divinely entrusted on earth, We turn Our thoughts to all regions of the Catholic world, and We diligently strive to determine what may contribute to the advancement of the Christian name and to the eternal salvation of the faithful. Indeed, when Our beloved son, Leo Livinhac, the Superior General of the Society of African Missions, to whom the spiritual care of the Apostolic Vicariate of Saharensis has been entrusted, earnestly urged Us to divide the aforementioned Vicariate, which is very extensive in size and, due to the distances and impassable roads, is exceedingly difficult, We, after consulting with the Most Reverend Fathers, Cardinals presiding over the affairs of the Propagation of the Faith, and after considering all the circumstances of the matter, so that, with an increased number of pastors, the flock of the Lord may be better secured...

[*Latin ed. p. 377*]

377 The acts of Pope Benedict XV are to be consulted, and we have considered it fitting that the wishes of the Superior General should be received with benevolence. Therefore, with our Apostolic authority, and in accordance with the sentiments expressed, we divide the Vicariate of the Sahara into two distinct regions, by a line that begins from the northern part, at the fifth meridian west of Paris, and follows westward until it reaches the lakes south of the Niger River and the city of Tombouctou, and from this place, the administrative boundary of the civil regions of Bandiagara, Dedougou, and Bobodioulasso, we decree that the territory to the west of this line shall constitute a new Apostolic Vicariate, to be called "of Bamako in French Sudan," and that the territory to the east of this line shall constitute another new Apostolic Vicariate, to be called "of Ouagadougou in French Sudan," including within this second Vicariate the territories of the three civil administrative regions of Bandiagara, Dedougou, and Bobodioulasso. We entrust both Vicariates to the care of the Institute of the Missionaries of Africa. These things we have decided, decreeing that these present letters shall always remain valid and effective, and shall fully and completely produce and obtain their intended effects, and that those to whom they pertain, or may pertain, shall now and henceforth fully support them; and that it shall be duly judged and determined, and that anything to the contrary, attempted by anyone, knowingly or unknowingly, with any authority whatsoever, shall be declared void and of no effect from this moment. Notwithstanding any contrary provisions. Given at Rome, at St. Peter's, under the Fisherman's ring, on the ninth day of July, in the year 1921, in the seventh year of our pontificate. P. CARD. GASPARRI, Secretary of State. LETTER TO REVEREND FATHER BEDAM SODALIUM TANDO JARRETT, OF THE ORDER OF O.F.M., RECTOR OF THE STUDIES OF ENGLAND,

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PROVINCE, AT OXFORD, CONGRATULATING HIM ON THE NEW FOUNDATION. Beloved son, greetings and our apostolic blessing. — We have received with great joy the news that the new monastery of Oxford, which you have long contemplated in memory of the old one and in hope of its fruits, is about to be established. For we regard the people of England with a special charity and desire, and that Dominican family, which can contribute so much to the reconciliation of hearts to the truth of the Catholic faith, both by example and by...

[*Latin ed. p. 378*]

378 Acta Apostolicae Sedis - An official commentary on the holy discipline, undertaken with a view to the divine glory. And we hope that, with the utmost eagerness, this new foundation will bring not only perfection to the religious life, so that the members of the Dominican Order may be a sweet fragrance for Christ, but also that their efforts and endeavors will be more fruitful in cultivating and spreading both human and divine teachings to those nearby. With this purpose in mind, you have conceived the plan of adding schools to the monastery, in which, to both internal and external students, philosophy and theology will be taught, with Saint Thomas Aquinas as the guide, as is fitting for you; and then, when the opportunity arises, a variety and abundance of disciplines, so that from small beginnings a great university of studies may flourish. You know what times demand, and what the Church desires, especially now, from religious men. And therefore, we are confident that, under your guidance, that ancient home of piety and learning, which in Oxford has for a long time sustained the needs of the poor, will soon be revived and restored to its former glory, to the great benefit of the Church and the state. In the meantime, a favorable omen may be taken from the fact that, as has been announced, the beginning of the construction of the new building will take place on the fifteenth of next August; a day which, most holy Virgin, on which you were assumed into heaven, seven centuries ago, marked the beginning of the Dominican presence in Oxford. We, as was fitting, have already congratulated you on the plan for this commendable work, and now, in these letters, we congratulate you again and more fervently, as the same work is now nearing completion, approved, indeed encouraged, by citizens of all ranks, who are distinguished by their generosity. We wish to attest our benevolence in all these matters, to offer praise, and to be a source of encouragement so that those who have undertaken this endeavor may pursue it with all diligence. And that these endeavors may be brought to a happy conclusion, we impart, through Christ our Lord, the apostolic blessing to you, our beloved son, to those men mentioned above, to your religious brethren, and to all those who are contributing to this undertaking. Given at Rome, at Saint Peter's, on the eleventh of June, in the year 1921, in

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the seventh year of Our Pontificate. BENEDICT XV.

[*Latin ed. p. 379*]

The Most Holy Congregation Consistorial, 379. ACTA SS. CONGREGATIONUM. SACRA CONGREGATIO CONSISTORIALIS I. DECREE CONCERNING THOSE TO BE PROPOSED FOR THE EPISCOPAL MINISTRY IN THE REPUBLIC OF MEXICO.

In order that the vacant sees might be filled with greater expediency and benefit, the Ordinaries of the Republic of Mexico recently petitioned the Apostolic See, requesting that the regulations established for the election of Bishops in the Canadian dominion and the islands of Novae be extended to their own Church as well.

Most Holy Father Benedict XV, graciously accepting these requests, has prescribed the following matters concerning this, by this consistorial decree.

1. For the purpose of proposing priests who are suitable and worthy for the episcopal ministry, a gathering of Bishops shall be held every three years, or at least every five years, at a time within the period assigned.

2. These gatherings shall be provincial, that is, all and each Ordinaries of the dioceses of each province shall meet together, unless it is determined that, for some provinces comprising only a few dioceses, two provinces should meet together; which, indeed, those same Bishops may propose.

3. Furthermore, Vicars Apostolic, if time and circumstances permit, shall attend the gatherings of the Bishops of their province, with the same rights as the others.

4. Every three years or five years, as stated above, at the beginning of the first week of Lent, beginning in the year 1922, all and each Bishops shall judge the names of priests submitted to them by their Metropolitan, or by the senior Archbishop (if two ecclesiastical provinces meet together), whom they deem worthy of the episcopal ministry. Nothing, however, prevents the priests of another diocese or province from being proposed among these; it is, however, strictly required that the one who is proposed be personally known to the proposer through long acquaintance.

[*Latin ed. p. 380*]

380 Acta Apostolicae Sedis - Official Commentary 5. Along with the name, the candidates shall also indicate their age, their place of origin, their current place of residence, and the office in which they principally serve.

6. Before determining whom to propose, both the Archbishops and the Bishops may inquire of prudent ecclesiastical men the necessary information, but in such a way that the purpose of this inquiry remains entirely concealed. The information received shall not be disclosed to anyone, except perhaps in the meeting of Bishops, of which more will be said below.

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7. The names which the Bishops propose according to article 4, shall not be disclosed to anyone, except to their Metropolitan or to a senior Archbishop.

8. The Metropolitan or senior Archbishop, having received the names of the candidates from the other Prelates, shall add his own: he shall prepare a complete list in alphabetical order, and, informing those who propose, he shall transmit this list to each of his Suffragan Bishops, so that these may undertake appropriate investigations into the qualities of those whom they do not personally know and about whom they have no certain knowledge.

9. Such investigations, and the reason for them, must be conducted with the utmost secrecy, as stated above, in number 6. If a Bishop fears that the matter will become public, he should refrain from further inquiries.

10. After Easter, on a day and at a place determined by the Metropolitan or by the senior Archbishop, which may coincide with the day and place assigned for the ordinary meetings of the Bishops, all the Bishops shall meet to select those who should be proposed to the Holy See for the episcopal office. They shall meet without any formality, as if for a familiar gathering, so that all attention, especially from newspapers and periodicals, and all curiosity, may be avoided.

11. In the meeting, after invoking divine assistance, each Bishop, the Archbishop not excepted, shall swear, touching the Holy Gospels, to maintain secrecy, so that a more sacred bond may be established by which all are bound: after this, the rules for making the election shall be read.

12. Then, one of the Bishops present shall be elected as secretary.

13. After these things have been done, the Bishops shall come together for discussion, so that, among all those presented, they may select the more worthy and suitable, but this shall be done as if Christ were present, and under His gaze, with all human considerations set aside, with discretion and charity, with the supreme good of the Church, divine glory, and the salvation of souls as the sole objects in view.

14. The candidates should be of mature, but not overly advanced, age; endowed with prudence in their actions, which should be confirmed by the exercise of their ministry; adorned with the soundest and most uncommon doctrine, which should be joined with due devotion towards the Apostolic See; and above all, they should be of the highest integrity.

[*Latin ed. p. 381*]

§ 381. Those who are distinguished by their life and piety should be considered. Furthermore, attention must be paid to the candidate's capacity for the temporal administration of goods, his family circumstances, as well as his character and health. In short, it must be determined whether he possesses all those qualities that are required in an excellent pastor, so that he may govern the people of God with fruitfulness and edification.

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15. After the discussion, the following procedure shall be followed for the scrutiny:

a) Those candidates who, for any reason, have been deemed unsuitable during the discussion and are to be removed from the list of those to be considered, shall not be called to the vote; the vote shall be taken only on the remaining candidates, even the most deserving.

b) The individual candidates shall be presented for the vote in alphabetical order; the votes shall be secret.

c) All the Bishops, the Metropolitan not excepted, shall use three ballots, all of the same color, namely white, black, and a third of another color: the first to indicate approval, the second to indicate disapproval, and the third to indicate abstention.

d) Each Bishop, in the presence of the Archbishop, shall deposit in the urn provided for this purpose the ballot by which he deems the priest who is being considered worthy, before God and with a heavy conscience; the other two ballots shall be deposited in a separate urn, also secretly.

e) After the votes have been cast, the Archbishop, in the presence of the Secretary Bishop, shall count the ballots and their colors before all present, and shall record the results in writing.

16. After the scrutiny has been completed, the Bishops shall be free, if they so wish, or if any of them request it, to designate, by a new scrutiny with full or equal votes, which of the approved candidates is to be preferred. For this purpose, each elector shall write the name of the preferred candidate on a slip of paper and deposit it in an urn; the examination of these slips shall be carried out as described in § 15, letter e.

17. Although the Supreme Pontiff reserves the right to request, through an Apostolic Delegate or in another manner, from the Bishops or Archbishops, advice regarding the choice of a person who seems more suitable for the governance of a particular diocese or archdiocese among those approved; nevertheless, it shall be permissible for the Bishops in the same assembly to indicate, at least in a general way, to which diocese or to which candidate they consider to be more suitable; for example, whether a small, orderly, and peaceful diocese, or one of greater or more difficult importance, or one in which there are more things to be ordered or created; whether a diocese with a milder climate and easier access, and so on.

18. The Secretary shall diligently note during the discussion what is expressed by each elector regarding each candidate, and what the conclusion of the discussion was; and how many were in the first scrutiny.

[*Latin ed. p. 382*]

382 Acta Apostolicae Sedis - Official Commentary, and whether, according to article 17, anything specific has been stated.

19. The prelates shall not depart from the assembly before the report

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prepared by the Episcopal secretary, concerning the proposed names, the qualifications of the candidates, and the votes obtained, has been read by the secretary to the Bishop, and before they have approved of it.

20. A copy of the proceedings shall be signed by the Archbishop, by the presiding prelate, by the secretary, and by the other bishops present, and shall be sent to this Sacred Congregation as safely as possible through the Apostolic Delegate. The proceedings themselves shall be kept by the Archbishop in the most secret archives of the Holy Office, but shall be destroyed after one year, or even sooner, if there is a danger of the secret being violated.

21. Finally, it will always be permissible for the Bishops, whether on the occasion of the proposal of a candidate or of the vacancy of a certain see, especially one of greater importance, to write letters to this Sacred Congregation or to the Most Holy Father himself, in which they make known their opinion concerning the qualities of the persons, whether absolutely or in relation to the provision of the aforementioned see.

Given at Rome, from the offices of the Sacred Consistorial Congregation, on the 30th of April, 1921.

C. CARD. DE LAI, E p. Sabinen., Secretary.

L. | J | S. Aloysius Sincero, Advisor.

II. CONCERNING THE EXCHANGE OF A PORTION OF TERRITORY BETWEEN THE DIOCESES OF INSULENSIS AND ATREBATENSIS: DECREE

Having heard the requests of the Bishops of Insulensis and Atrebatensis, that a certain portion of territory be permanently united to their respective dioceses, a portion which, since the year 1809, has been exchanged between the parish priest of Fromelles, which is now part of the diocese of Insulensis, and the parish priest of Fleurbaix, which is part of the diocese of Atrebatensis, and in which they have exercised pastoral care, with the consent of the Ordinaries, up to the present time; and after having considered the prayers presented, the Most Holy Pope Benedict XV judged it fitting to grant this request.

Wherefore, by the fullness of Apostolic authority and by supplementing what is necessary, and with the consent of those who have an interest, either their own or otherwise, it is hereby decreed by this Consistorial decree that the aforementioned portion of territory shall remain permanently united and attached to the respective dioceses of Insulensis and Atrebatensis, as it is now divided.

And for the execution of this, the Reverend Father Raphaël-

[*Latin ed. p. 383*]

383 The Sacred Congregation Consistorial has granted to the Most Reverend Monsieur Quilliet, Bishop of Insulensem, the necessary and oppor-

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tune faculties, even of delegating, for the purpose in question, any man established in ecclesiastical dignity; and, having fulfilled this charge within three months, to be computed from the present date, he is to send to this Sacred Congregation an authentic copy of the completed execution; all contrary things notwithstanding. Given in Rome, from the offices of the Sacred Congregation Consistorial, on the 8th of July, 1921. ffc C. CARD. DE LAI, Bishop of Sabina, Secretary. L. © S. Aloysius Sincero, Assistant.

III. APPOINTMENTS OF CHURCHES

His Holiness Pope Benedict XV, by the decrees of the Sacred Congregation Consistorial, has provided the following churches with their own pastors, namely:

28th of June, 1921. — To the Cathedral Church of Alexandrina in Ontario, the Reverend Father Felic Cotturier, formerly the titular Bishop of Myriophytense.

8th of July. — To the titular episcopal Church of Girard, the Reverend Father Julius, as Apostolic Vicar of Delta Nili.

To the titular episcopal Church of Uticense, the Reverend Father Aemilius Fernand Sauvant, as Apostolic Vicar of Bamako in French Sudan.

To the titular episcopal Church of Sitifense, the Reverend Father Ioannes Thevenoud, as Apostolic Vicar of Ouaghadougou in French Sudan.

18th of July. — To the Cathedral Church of Almeriensi, the Reverend Father Bernard Martínez Noval, of the Order of the Eremites of Saint Augustine, Master in Sacred Theology.

22nd of July. — To the titular archiepiscopal Church of Sardicense, the Reverend Father Ernest Filippi, appointed as Apostolic Delegate in the Republic of Mexicana.

To the titular episcopal Church of Caesareense, the Reverend Father Antonius Micozzi, appointed as a suffragan to the Most Reverend Father Caietan, Cardinal of the Holy Roman Church.

To the titular episcopal Church of Hieropolitana, the Reverend Father Celsus Costantini, as Apostolic Administrator of the city of Fiume and its suburbs.

[*Latin ed. p. 384*]

384 Acta Apostolicae Sedis - Official Commentary iv... APPOINTMENT AS AUXILIARY BISHOP. Our Most Holy Father Benedict, by decree of the Sacred Congregation of Bishops dated June 22, 1921, appointed as Auxiliary Bishop, the Reverend Father Crescens Errázuriz y Valdivieso, Archbishop of Saint James of Chile; the Reverend Father Raphael Edwards Salas, titular Bishop of Dodona, and General Vicar for the Castrum of the Republic of Chile.

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SACRED CONGREGATION FOR RELIGIOUS ORDERS. APPROVALS. By decrees of the Sacred Congregation for Religious Orders, Our Most Holy Father Benedict, Pope XV: May 8, 1921. – The Constitution of the Institute of Sisters known as the Sisters of Saint Joseph, whose principal house is located in Augsburg, was definitively approved. July 17. – The Institute of Sisters commonly known as the "Missionary Sisters of the Sacred Heart," whose principal house is located in the City, was praised.

SACRED CONGREGATION FOR THE PROPAGATION OF THE FAITH. I. DECREE. THE CONSTITUTION OF THE CONGREGATION OF THE SONS OF THE MOST SACRED HEART OF JESUS FOR AFRICAN MISSIONS, FOUNDED IN VERONA, IS CONFIRMED WITH NEW DEFINITIVE APPROVAL. Since the Institute, through the illustrious work of the late Bishop Daniel Comboni, originally founded in Verona for African Missions, and subsequently united into a religious family in the year 1885 under the name of the Congregation of the Sons of the Most Sacred Heart of Jesus, has produced abundant fruits of salvation in the missions entrusted to it, and has increased the number of its members, and has maintained regular discipline...

[*Latin ed. p. 385*]

The Congregation of Propaganda Fide, flourishing as it does, it having been deemed fitting, although its constitutions had already been definitively approved since the year 1910, to revise them anew in light of the recently promulgated Code of Canon Law, so that they might incorporate modifications more suited to the aforementioned Code, and better serve the purpose of the distinguished Institute. Therefore, in a plenary session on December 20, 1920, the Most Reverend Fathers of the Sacred Council, dedicated to propagating the Christian faith, having examined the aforementioned constitutions, definitively judged it fitting to confirm them with new approval, along with the modifications exhibited in the attached example. The judgment of the Most Reverend Fathers, having been reported to His Holiness Pope Benedict XV in an audience on the 21st of the same month by the undersigned Secretary of the Sacred Congregation, the same Holiness deigned to approve and ratify it, and ordered the present decree to be drawn up concerning this matter. Given in Rome, from the offices of the Sacred Congregation of Propaganda Fide, on the 6th of January, in the year of Our Lord 1921, on the feast of the Epiphany.

G. M. CARD. VAN ROSSUM, Prefect.

L. © S. C. Laurenti, Secretary.

SOCIETY OF AFRICAN MISSIONARIES.

DECREE: THE CONSTITUTIONS ARE APPROVED FOR A DEFINITIVE STANDARD, REVISED IN ACCORDANCE WITH THE CODE.

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Since the Society of African Missionaries, founded by the Most Reverend Cardinal Charles Martial Lavigerie in the year 1868 to propagate the faith in Africa, has yielded abundant fruits of salvation, and since, from the year 1908, its constitutions had been definitively approved by a decree of this Sacred Congregation, in recent years the active works of this Institute have so greatly increased in the advancement of missions throughout Africa, that it has shone forth with new merits for the Church. Therefore, in order that the aforementioned constitutions, most wisely devised for the formation of missionaries and for their perseverance in good works, might be more in harmony with the prescriptions of the recently promulgated Code of Canon Law, as has been done in other Institutes, it was deemed fitting to introduce certain modifications.

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[*Latin ed. p. 386*]

386 Acta Apostolicae Sedis - Official Commentary. Wherefore, in a plenary session of these Reverend Fathers held on the 4th of April, the matter was brought under examination, and the aforementioned Reverend Fathers judged that the aforementioned constitutions, with the modifications exhibited in the attached example, should be definitively approved and confirmed. The opinion of the Reverend Fathers, reported by the Most Reverend Lord Benedict, Divine Providence, Prefect, through the undersigned Secretary of the same Congregation, in an audience on the 11th of the same month, was graciously approved by His Holiness, and the present decree concerning this matter was ordered to be drawn up and promulgated. Given in Rome, from the offices of the Sacred Congregation for the Propagation of the Faith, on the 21st of April, 1921. Gr. M. CARD. VAN ROSSUM, Prefect. L. F.B S. C. Laurenti, Secretary.

III. DECREE ESTABLISHING THE INSTITUTE OF BETHLEHEM, NEAR THE HELVETIC SEMINARY FOR FOREIGN MISSIONS, IN THE DIOCESE OF CURIENSIS. In order that suitable missionaries may be sent forth from the noble Swiss people to spread the faith more widely throughout the world, it seemed opportune to erect the Institute called Bethlehem, located in the place commonly known as Imrnensee, in the diocese of Curiensis, which has existed for many years and flourishes with students and discipline, as a Helvetic Seminary for foreign missions, under the jurisdiction of this Sacred Congregation, for the glory of Christ and the propagation of the faith. Concerning this matter, after deliberation, with the enthusiastic approval of the Bishop of Curiensis and other prelates in Switzerland, a report was made to the Most Holy Lord Benedict XV, Divine Providence, by the undersigned Prefect of the Sacred Congregation for the Propagation of the Faith, in an audience on the 19th of this month; His Holiness greatly approved of the matter, and declared the aforementioned establishment to be valid and confirmed, and ordered the present decree

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concerning this matter to be drawn up, stipulating that the aforementioned Seminary shall be governed in the future by a special statute and laws to be approved by this Sacred Congregation. Given in Rome, from the offices of the Sacred Congregation for the Propagation of the Faith, on the 30th of May, 1921. G. M. CARD. VAN ROSSUM, Prefect. C. Laurenti, Secretary.

[*Latin ed. p. 387*]

387 The Holy Congregation for the Propagation of the Faith, IV. By Apostolic Briefs, the following were appointed: June 1, 1921. — Apostolic Vicar of Kuang-tong Occidental and Hainan, Reverend Father Augustus Gauthier, of the Society of Paris for Foreign Missions. June 28. — Apostolic Vicar of the Delta of the Nile, Reverend Father Julius Girard, of the Society of Lyons for Missions to the Africans. July 5. — Apostolic Vicar of Bamako in French Sudan, Reverend Father Aemilius Ferdinand Sauvant, of the Institute of African Missionaries. — Apostolic Vicar of Quaghadougou in French Sudan, Reverend Father John Thevenoud, of the same Institute of African Missionaries. July 10. — Titular Bishop Coadjutor with right of succession to the Archbishop of Calcutta in the East Indies, Reverend Father Ferdinand Perier, of the Society of Jesus.

THE HOLY CONGREGATION FOR RITES, VI. CONCERNING THE BEATIFICATION AND CANONIZATION OF THE VENERABLE FOUNDER OF THE CONGREGATION OF SERVANTS OF GOD, ANDREW HUBERT FOURNET, KNOWN AS THE FOUR SISTERS OF ANDREW.

REGARDING THE QUESTION: Does it appear that the virtues of Faith, Hope, and Charity in God and neighbor, as well as the cardinal virtues of Prudence, Justice, Fortitude, and Temperance, and those attached to them, were present in a heroic degree, in every circumstance and in their effects, in the case of the Venerable Servant of God, Andrew Hubert Fournet?

The Venerable Servant of God, Andrew Hubert Fournet, having filled his days with works, departed from this mortal life in the year one thousand eight hundred and thirty-four, having reached the age of over eighty years, as was fitting for his life.

[*Latin ed. p. 388*]

388 Acta Apostolicae Sedis - Commentarium Officiale. Witnesses to the sanctity and exemplary conduct of the aforementioned individual existed; all of them became renowned heralds of the heroic virtues he practiced, with the pastor of the church of Pictaviensis leading the way. Nevertheless, since, more than ten years ago, discussions concerning his virtues were initiated, and many various observations were made, which primarily stemmed from the fact that, not only did he not receive sufficient assistance in the earlier part of his life, encompassing the first thirty years, to provide the necessary evidence for the heroic nature of his virtues, but also that, for

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approximately fifty years, until his death, the remaining portion of his life was not found to be sufficiently fruitful, since it was also not entirely free from imperfections and blemishes. These objections, once raised, threatened to lead to a serious judgment, until, through diligence and the work of his Patron, those concerned strove to extricate him from the difficulties in which he found himself; and, having proposed to themselves a task with keen and constant effort, they achieved a successful outcome, by carefully and appropriately reducing and collecting everything that had been objected to up to that point; indeed, these objections were numerous, diverse, and of considerable weight, making the proposed question a difficult and quite inconvenient one. Firstly, the difficulties are summarized in order, according to these main points; then, the material from which objections could be raised is carefully and diligently investigated and examined, along with its particular circumstances, as they actually occurred; as, of course, the witnesses, instructed by the religious observance of the sacrament and often with a keen understanding, recounted and described. Thus, having first established and firmly confirmed what is involved in the facts, it was necessary to carefully learn and justly consider how these facts should be assessed, or how much value should be attributed to the works and actions that the venerable Servant of God performed during his life; and from these, it was necessary to discern and judge, using principles and doctrines, whether his actions were good or evil, and also to determine the heroic nature of his virtues and the degree of heroism involved. Having entered upon this planned, sufficiently complex, and demanding path, as they had intended, those concerned are said to have arrived; and, indeed, whatever was presented in the judgment, whether concerning the facts or the law, is so clearly and abundantly demonstrated that a prudent and just judge is almost compelled to agree with it and subscribe to it.

[*Latin ed. p. 389*]

The Holy Congregation of Rites decreed that, if the venerable Andrew, in the earlier period of his life, had perhaps indulged in certain comforts of a virtuous life, in domestic furnishings and other things of the same kind, he had fully and completely atoned for this, and that his manner of living and acting thereafter clearly demonstrated that he had observed, constantly and steadfastly, the advice given to him by the most holy Gregory the Great. Indeed, it is certain that those austerities, to which the venerable Servant of God, after his conversion to God, as they call it, devoted himself so zealously, were such that he seemed, by exceeding the bounds, to have suffered some detriment; but rather, he gained greater firmness and beauty from them. For, by acting in this way, the venerable Andrew earned a greater merit of generous virtue, by which he sought to attract to himself and to conform himself to the wise and prudent counsel of the most holy Gregory the Great: "For through this—by doing works worthy

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of repentance—each one's conscience is brought to bear, so that the more grievous the damages that one has brought upon himself through sin, so much more may he seek the fruits of good works through repentance" (Homily 20 on the Gospel). And it is not permissible to draw any conclusion contrary to this from the fact that the entire life of the Servant of God, as far and wide as he lived, does not lack holiness. And if anyone were to object, he would surely not demonstrate that he properly and truly understands what heroic virtue is, and of what elements it consists and is made. For, if we speak of the Servants of God, especially those who died in their old age, it is certainly possible to be mistaken in one's opinion, if one were to seek to find in these Servants of God all qualities of a heroic nature; for, except for the blessed Virgin Mary, the august Mother of God, all who are descended from Adam are born with sin, and although this is removed by sacred baptism, it nevertheless leaves behind twisted and corrupted roots, as if containing a tainted seed. Therefore, when the virtues of the Servants of God are investigated, their entire life must be carefully examined, and their individual actions explored; but, if the matter concerns those who have reached a more advanced age, one must be content if a heroic degree of those virtues, which are consonant with the condition or state of the Servants of God, is clearly demonstrated, and if this is most evident at the very end of their life. In general, it should be possible to establish and define that this final period of life, encompassed and circumscribed by a certain number of years, is...

[*Latin ed. p. 390*]

390 Acta Apostolicae Sedis – The official commentary explains that, inserting its own authority and the long-standing usage it had acquired, Benedict XIV resolved to distinguish the matter. To all those things which could have contributed to the matter, having brought them forward, he strengthened the opinion which he had professed not long before, and he declared that he would not depart from it with these weighty words: "Regarding the proposed opinion, I do not recede, which indeed demands heroism, without any definition of time; therefore, when the case arises, each one who will be a witness in the cause, having considered the course of life of the Servant of God, must see whether, either by the long duration of time in which he lived heroically, or by reason of the quality of the actions which he performed in a shorter time, he can be reckoned among the heroes and among the saints to be venerated in the Church." These things, indeed, were certainly fitting to be transferred to this cause and to be suitably applied to it, and it was easy and expeditious to effect the judgment of the cause itself, as could be seen in the preparatory Congregation held a year later, so that it was possible to proceed to further steps, namely to the general Congregation, which was convened on the twenty-first day of the preceding month of June, before the Most Holy

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Lord our Pope Benedict XV. There, the Most Reverend Cardinal Vincent Vannutelli, Relator of the cause, proposed the following question for discussion: "Does it appear that the theological virtues of Faith, Hope, and Charity in God and in neighbor, as well as the cardinal virtues of Prudence, Justice, Fortitude, and Temperance, and those things connected with them, were present in a heroic degree, in the case and to the effect of the venerable Servant of God Andreae Huberti Fournet?" The Most Reverend Cardinals and Consultors each gave their votes, but the Most Holy Pope, having been very intent in mind, decided to postpone his supreme judgment, as is customary, earnestly imploring the assistance and guidance of the Fathers, with fervent and common prayers. However, having decided to make his position clear, he designated today, the Sunday after the octave of Pentecost, and therefore, after the sacred mysteries had been devoutly celebrated, he summoned the Most Reverend Cardinals Anthony Vico, Bishop of Porto and S. Rufina, Prefect of the Congregation of Sacred Rites, and Vincent Vannutelli, Bishop of Ostia and Preneste, Dean of the Sacred College, and Relator of the cause, together with the Reverend Father Angelo Mariani, Promoter of the Faith General, and myself, together with the undersigned Secretary, and in their presence, he solemnly declared: "It appears that the theological virtues of Faith, Hope, and Charity in God and in neighbor, as well as the cardinal virtues of Prudence, Justice, Fortitude, and Temperance, and those things connected with them, were present in the venerable Servant of God."

[*Latin ed. p. 391*]

To the Most Reverend Andreae Huberti Fournet, of whom mention is made, who is in the heroic degree, in this case, and to this effect, this Decree is to be made public and recorded in the acts of the Sacred Congregation of Rites. It was ordered to be done on the sixth of the ides of July in the year 1921.

A. CARD. VICO, Archbishop of Porto and Santa Rufina, and Prefect.

L. S. Alexander Verde, Secretary.

II. A QUESTION CONCERNING THE VOTIVE MASS OF THE MOST HOLY HEART OF JESUS, ON THE FIRST DAY OF THE MONTH.

A question was presented to the Sacred Congregation of Rites: "Whether, on the sixth day after the Octave of the Ascension, if the Office and Mass are celebrated according to the rubrics on that day, and if the first day of the month also happens to be a Saturday, it is permissible to celebrate one Mass of the Most Holy Heart of Jesus, as a solemn votive Mass, in those churches in which the devout exercises in honor of the same Most Holy Heart of Jesus are performed?"

And the Sacred Congregation of Rites, after hearing the opinion of a special Commission, and after careful deliberation, decided to respond as

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follows:

"Considering the rubrics of the Missal recently published, title II, number 8, and the Decrees of the Sacred Congregation of Rites, number 4084 of Vallisvidonis, dated November 29, 1901, and number 4093 of Rome, dated March 26, 1902, paragraph 3, the Mass in this case shall be said of the sixth day after the Octave of the Ascension, which is equivalent to a feast of Christ the Lord, but with the same privileges of a solemn votive Mass, with singing or readings, of the Most Holy Heart of Jesus, for a grave reason, according to the declaration or Decree of the Sacred Congregation of Rites, number 4271 of Baionen, dated June 8, 1911, paragraph 2."

And thus it was decided and declared.

On July 8, 1921.

A. CARD. VICO, Archbishop of Porto and Santa Rufina, and Prefect.

L. S. Alexander Verde, Secretary.

[*Latin ed. p. 392*]

Acta Apostolicae Sedis - Official Commentary

ACTS OF THERIBUNALS

SACRED ROMAN ROTA

SAINT ANGEL OF THE LOMBARDS

OF JURISDICTION

Under the blessed reign of Pope Benedict XV, in the sixth year of his pontification, on the 16th of July, 1920, the Most Reverend Fathers, DB. Ioannes Prior, President, Julius Grazioli, and Franciscus Parrillo, Auditors of Turno, in the case of Saint Angel of the Lombards - of Jurisdiction, between the Archpriest Victor Novia, the plaintiff, represented by his lawful procurator, the advocate Thomas Ambrosetti, and the Clergy of the rectory church of the town of "Vallata," represented by his lawful procurator, the advocate Vincent Sacconi, with the intervention and dissent of the Promoter of Justice of this Sacred Tribunal, rendered the following final judgment on appeal:

In the town of Vallata, in the diocese of Saint Angel of the Lombards, there exists a rectory church, which has suffered the same fate as other churches of this kind in the Kingdom of Naples until the second half of the last century: for, by the law of the Italian government of August 15, 1867, all the assets of the aforementioned churches, with the exception of a single portion reserved for their respective parish priests, were confiscated

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and transferred to the administration commonly called the "Fondo per il Culto," established by a law of the preceding year.

As a result of this spoliation, revenues were lacking for the expenses of divine worship, and since the parish priest had recourse to the civil tribunals against the aforementioned administration, as the heir to the assets taken from the aforementioned churches, the current parish priest of Vallata, Reverend Father Victor Novia, chose this course of action, and, by a unanimous judgment, the aforementioned administration of the "Fondo Culto" was condemned to pay to the parish priest of the same church, each year, the sum of 1482.75 for the expenses of worship, together with the sum of 300 for the maintenance of the church, and also to reimburse the same parish priest the sums already spent for worship in the same amount annually, since he took possession of the benefice until the beginning of the lawsuit, namely, for sixteen years: and 2000 lire, however, as compensation for expenses incurred for sacred vessels.

[*Latin ed. p. 393*]

In the Roman Rota, a case concerning a sum of 27,809.80 lire received retroactively by the parish priest of Novia, as documented in book 27, arose between the aforementioned parish priest and the resident clergy, who claimed a portion was due to them, either because they themselves contributed proportionally to the expenses of worship, or because the money recovered originated from assets seized from the parish priest by the tax authorities. The Vicar General, acting under the mandate of the Bishop, sought to mediate a fair settlement between the parties, proposing a certain scheme of composition; however, the Archpriest refused, and the dispute was resolved by a decree of the Bishop on July 21, 1912, by which 6,000 lire were granted to the clergy, 1,000 lire to the Bishop for the cathedral and seminary expenses, and the remaining sum of 20,809.80 lire was awarded to the Archpriest. The Archpriest did not comply with the Ordinary's decree, but appealed to the Holy See, and, having obtained a pontifical mandate, the case was brought before the Sacred Order to be judged in the first instance. Two questions were proposed regarding the matter: 1. Whether and what repairs should be made to the sum of 27,809.80 lire received by the Archpriest of Novia from the Administration, commonly known as the "Fondo per il culto" (Fund for Worship). 2. How the annual allocation to be paid by the same Administration in the future should be distributed and administered. The judges of the first grade of the Rota responded, as can be seen from the decision reported in *Comm. Off. Acta Ap. Sedis*, vol. XII, p. 94: Regarding the first question: Affirmative, concerning the first part; concerning the second part, however: The distribution should be made as in the decree of the Bishop of July 21, 1912, but deducting from the portion assigned to the clergy, 1,752 lire, to be awarded to the Archpriest. Regarding the second question: Adherence should be given to

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the decree of the Bishop. However, the Archpriest of Novia appealed to another grade of the Rota, and the following question was presented to us for resolution, under the customary formula: Whether the sentence of the Rota of February 28, 1919, should be confirmed or overturned, in this case. INJURY. - First of all, the legal status of the parties must be determined. According to the chapter statutes of the resident church of the town of Vallata, approved by the Ordinary of the diocese of S. Angelo de Lombardis and Bisacien, the Reverend Father Anthony Manerba, in 1749, the resident clergy have habitual care, while the Archpriest has actual care. Thus it is written in chapter 2: "To the Archpriest 'belongs the care of souls, with the help of which the other 'dignities and participants' are held; to the actual care, however, the aforementioned Archpriest is bound, and the others to habitual care." Therefore, the resident clergy, who have habitual care, according to the norms of common law, are the pastors of the church: to them, therefore, pertains the administration, defense of the rights of the church itself.

[*Latin ed. p. 394*]

394 Acta Apostolicae Sedis, Commentarium Officiale, concerning the restoration thereof, etc. Pignatellus states, in *Consult*, 150, n. 8, vol. IX: "Concerning the governance and administration of the Church, the Chapter likewise 'bases its intention on that which pertains to the rector or parish priest, and thus the care of governing and administering by right belongs to him, as is evident from the *Rota* etc.... which is followed by Lotterius.'" He who has only actual care is not the rector of the Church, but, as the *Rota* holds, in decision 316, n. 2, paragraph 4, volume 2, among the *Recentiora*, he is the rector of souls, or, as Pichler states in title *De Off. Vic*, n. 15, the pastor of souls. In the common case, the general statutes of parish churches are in conformity, according to the model drafted by the Congregation of Bishops of the Kingdom of Naples, and sent by order of King Ferdinand I to all Ordinaries of the same kingdom in the year 1824, as noted by the author Salzano (*Lezioni di Diritto Canonico*, vol. 2, p. 232 seq.) in the cited judgment. According to these same statutes, the Ordinary also has a share in the administration of the revenues of the Church. Under number 2, it is written: "The Clergy shall administer in the common fund, and shall not divide the revenues of whatever nature they may be, through a participant elected by the Clergy itself, who shall exercise all the functions of a procurator, and shall assume the title thereof." The following are other provisions pertaining to our matter, n. 5: "If there should be an accidental increase in revenue, even due to vacant portions, at the end of the year, according to the Royal Decree of November 19, 1823, the Procurator shall give full knowledge of this to the Ordinary, who shall order an equal distribution among all the participants; or, if the need arises, he shall order that all of the surplus be applied to the benefit of the Church, or to repairs of buildings, or

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improvements of the land or sacred furnishings, or other things according to the need thereof..." 8. "It shall be permitted to the Procurator to expend all sums that are needed, without further authorization, to satisfy public debts that have matured, or the portions of the participants. "For Church expenses, as well as for the introduction of lawsuits, authorization must be obtained from the Clergy through a regular commission..." 9. "Every income shall be received by the Procurator alone; whoever of the participants receives any sum belonging to the common fund, shall not be released from his debt by his receipt." These general norms are in conformity with the particular statutes of the parish church of St. Bartholomew, by which it is ordered that, each year, two procurators be elected from the body of the clergy of the parish, one for the Chapter, the other for the Church, who, by mandate of the same clergy, shall administer the goods of the Chapter and the Church respectively, and shall defend the rights thereof. The goods of the parish church of St. Bartholomew were enriched, and their revenues contributed to the common fund, and from these, a suitable portion must be set aside for the care of the poor.

[*Latin ed. p. 395*]

Saint Homana Bota, numbered 395, was to be granted the title of Archpriest, unless she already held it from elsewhere, and from the remaining sum, portions were to be made, as many as the Bishop deemed sufficient for the increase of the care of souls and the service of worship. The expenses necessary for worship were drawn as much as possible from this same fund, unless there were special revenues, which, although distinct from the fund, nevertheless constituted a part of the patrimony of the Church. These rights remained unchanged even after the subversive laws of the year 1867, by which the goods of the Church and the Chapters were transferred to the domain of the State. For civil authority cannot abolish ecclesiastical law. In fact, a change occurred, inasmuch as, when the goods constituting the patrimony of the Church were lacking, the administration of the Chapter was largely restricted to external resources. Nevertheless, the ecclesiastical authority did not cease to have the right to claim the goods unjustly seized by the treasury, as is evident in the letters of the Sacred Congregation *Ad dirimendas*, and in the Instructions of the Sacred Penitentiary *De compositionibus faciendis* concerning those who have acquired ownership of such goods from the treasury. The suppression decreed by civil authority changed the facts, but not the rights. By the Italian law of August 15, 1867, article 1, the following were suppressed: "The Chapters of Collegiate Churches, the rectory churches, the communions, etc., except for those among them that have the care of souls, a single benefice or a portion of the fund for a suitable parish." Furthermore, in the wake of this decree of suppression, all goods were transferred to the treasury: article 2. "All goods of any kind belonging to the aforementioned suppressed moral entities

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are transferred to the domain of the State"; and, by the same provision of the same subversive law, they were transferred to the so-called "Fund for Worship" administration. Thus, this civil administration became the heir to the goods of these entities, and, as it succeeded to the rights of the aforementioned churches, so too it inherited the burdens inherent in them. However, since the burdens that were incumbent upon the college or community ceased, together with the suppression of the community, according to civil law, this civil administration decided not to refund anything for these, except, in order to provide a pension, for those who were legitimately invested in a benefice or portion at the time the law was promulgated. But with regard to the expenses of worship and the maintenance of churches, which, together with their status as rectory churches, retained the care of souls, this "Fund for Worship" administration is also legally obliged to reimburse them, from the patrimony of those churches that it inherited, and according to the resources of that patrimony. In article 30 of the law of July 7, 1861, the following is relevant to the matter: "For the payment of debts, charges, and any other liabilities of the suppressed moral entities or bodies, the Fund for Worship shall not be held..."

[*Latin ed. p. 396*]

Acts of the Apostolic See - Official Commentary 396: "to an amount greater than that resulting either from the net income 'definitively ascertained at the time of possession,' or from the capital, 'increased by five percent of the aforementioned income.'" According to the legal condition of the parties, in accordance with ecclesiastical law, it follows first that the Archpriest could only initiate legal action against the civil administration, commonly known as the "Fund for Worship," to recover expenses for the maintenance and repair of the church, upon the mandate of the clergy. This general mandate was tacitly given to him by the clergy, as the cited judgment rightly concludes, and it was sufficient for all necessary and ordinary expenses in pursuing the lawsuit; however, it was not sufficient for extraordinary expenses, for which, according to the statutes of the chapter, a special mandate was required. Secondly, whatever he obtained from the initiated legal action, he acquired not for himself, but for the church, of whose rector, or of the clergy, he was the administrator, with the Ordinary also intervening in those matters that pertain to him, according to the statutes. First of all, it must be noted that in the settled doubts, there is no question of the money granted by the court for expenses incurred or to be incurred in repairing the church; therefore, we will not deal with that matter. REGARDING THE FACTS. With regard to the distribution of the sum of 27,809.80, about which the first doubt arises, the expenses of the lawsuit incurred in the civil court must first be reimbursed to the Archpriest of Naila. He claims to have paid half of the total sum recovered, cumulatively for legal fees and expenses incurred in pursuing the

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lawsuit, to his civil lawyer, and that he should not have to pay anything if he had lost the lawsuit. However, this agreement cannot be admitted. The aforementioned DD. Auditors do not base their conclusion on the reason alleged by the cited judgment, namely, that the obligation to pay expenses cannot in any way, not even indirectly, arise from the purchase of a lawsuit, since this is a disapproved provision, whether of positive, or canonical law (can. 1615 of the Code of Canon Law), or of civil law, both modern (Italian Civil Code, art. 1458) and Roman (1. Sumptus, ff. de pactis and 1. Solarium ff. mandati), because the common opinion of Doctors holds that, although a contract is not only externally, or by force of positive law, but also intrinsically reprehensible, and therefore null according to natural law, nevertheless, if the contracting party has truly performed the action illicit or reprehensible included in the contract, the agreed price must be paid: because, indeed, from the completed illicit or reprehensible action, a new unnamed contract arises, "I do so that you give," which depends on the prior agreement, not according to its essential nature, but only insofar as the price is determined.

[*Latin ed. p. 397*]

Saint Romana, Book 3, Chapter 97, was not invalid nor sinful in itself. Cf. Lehmkuhl, vol. I, n. 1248 sq., ed. 12; Génicot, vol. I, n. 584, ed. 7, and others cited by these authors. The work of a lawyer undertaken in a defense was not inherently illicit, but only prohibited by law as part of a forbidden contract; however, if the work was successfully completed, it could justly demand a reward for labor and risk, even if no civil action was granted to recover it. Furthermore, it is doubtful whether the laws that prohibit patrons from bringing a lawsuit or settling for an excessive portion of the disputed matter would apply in the specific circumstances of this case, since the matter concerned something inherently subject to chance, namely, an action against a powerful Administration, which could, solely by its opinion, deter priests from pursuing their rights, so that, without such an agreement, the priest would have almost no hope of recovering part of the funds belonging to his church. Therefore, if, in fact, the Archpriest of Novia had been sufficiently instructed by the Clergy regarding this matter, and had truly demonstrated that he had repaid half of the recovered money to the lawyer, this would undoubtedly be included among the expenses to be refunded to the Archpriest. But the Archpriest of Novia did not prove this. Firstly, there is no evidence from the records that such an agreement was initiated. The plaintiff presented a letter from the lawyer in which the purchase of the case is proposed in these terms, but no document proves that the Archpriest agreed to this proposal. Furthermore, even if such an agreement existed, there is no evidence that the Archpriest adhered to the agreement and actually paid half of the money obtained to the lawyer; indeed, when requested by a decree of the Reverend Pontiff in the first

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instance on June 18, 1918, to present proof of the payment to the court, he gave no response for five weeks; and when another peremptory decree was issued by the Reverend Pontiff on July 27, 1918, requiring him to submit the aforementioned proof within fifteen days, he likewise gave no response. Therefore, the unfounded claim of the plaintiff being rejected, it remains to determine a fair amount for the expenses of the lawsuit and the expenses incurred on account of the lawsuit by him; and the Reverend Auditors considered that such an amount was properly determined by the Pro-Vicar of the Bishop, in the amount of one-quarter of the total sum recovered from the Administration, commonly known as the "Fondo per il Culto." Secondly, the expenses incurred by the Archpriest or the clergy since 1895 for the church furnishings and divine worship are to be considered. These sums, after considering all that has been alleged, were determined in a fair measure in the scheme of the Pro-Vicar of the Bishop, in the decree approved by the Ordinary. And there is no mention of any possible injury done to him.

[*Latin ed. p. 398*]

398 Acta Apostolicae Sedis - Commentarium Officiale: A priest may object, considering that his calculations, which were deemed unfounded, were rejected; for, as De Luca states in *De tutoribus et curatoribus*, no. 55, "an administrator cannot be considered either a debtor or a creditor with respect to the 'administration' of the property." Furthermore, the Archpriest of Novia did not render a proper accounting of the administration of the church's assets, either to the Ordinary of the diocese or in the double judgment of the case before the Most Holy Tribunal. Thirdly, the sum assigned to the Ordinary for the expenses of the seminary and the cathedral, which were reduced to one thousand florins, was accepted by him; provided that these sums were included among the expenses of divine worship in the judgment of the civil court, and otherwise, the Ordinary has the right to demand these sums from the churches of his diocese. The question then arises whether compensation can be assigned to the clergy for their service to the church over the preceding sixteen years, during which they performed this service without remuneration. The DD. Auditors respond affirmatively, because, after all expenses have been paid, what remains has the nature of an additional revenue, as mentioned in article five of the statutes, which were cited above. Indeed, according to that article, the assignment is subject to the prudent judgment of the Bishop. This is all the more important to say, because it is truly a partial restitution of assets that belong to the collegiate body (as is evident from article 30 of the Italian law of July 7, 1866, cited above), a portion of which was originally intended to compensate the clergy for their services: namely, from the share derived from the common mass offerings. It is not irrelevant that, in the judgment of the civil court,

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nothing was assigned for the services rendered by the clergy; for neither could the parish priest, as the plaintiff, require, nor could the civil judge condemn, the administration of "the Cult Fund," except to reject or provide only those expenses that were necessary for the worship of the church. No action is permitted against such an administration to recover assets that directly relate to the service rendered to the church by the clergy, since such assets have been transferred to the ownership of the State. Therefore, neither the civil judge in his judgment, nor the administration, could condemn or restore anything that related to the aforementioned service to the church; hence, unjustly, based on the tenor of the civil judgment and on the nature of the restitution, that sum was denied to the clergy in the final judgment, which the Bishop had assigned for such service to the church. The matter is not to be resolved through the proceedings of civil judgments, but according to the general norm of law and the particular regulations of the church. For if someone has received more than what is due to him, he is obligated to restore it to his lord; for no one can enrich himself at the expense of another. But in this case, the lord is certainly not the civil administration "dei."

[*Latin ed. p. 399*]

In Rome, Boia 399, concerning the "Cult Fund," it is established that its assets consist of goods seized from the Church, and that the sums disbursed for religious purposes can exceed the resources available from the inherited endowment. Therefore, the Church itself, which received this patrimony through a law that was overturned, is the rightful recipient, and consequently, any excess remaining after expenses for religious purposes have been paid must be applied according to the judgment of the Bishop, in accordance with Article 5 of the model statutes of 1824. The Bishop has, in fact, allocated such an excess to the clergy for the aforementioned service, and his action is justifiable. Similarly, according to the judgment of the Bishop, in accordance with Article 5 of the aforementioned model statutes, compensation can be determined for the Archpriest for the services rendered to the benefit of the Church of Saint Bartholomew. The Ordinary, in fact, exercised his right in the decree of July 21, 1912, in which, after due consideration, sums of 20,809.80 and 6,000 were respectively assigned to the Archpriest Novia and the clergy. Regarding the disbursement and administration of funds annually paid by the administration, commonly known as the "Cult Fund," as mentioned in the second question, the same criteria should be applied as those used with respect to the lump sum that was paid to the Archpriest retroactively, by virtue of a civil judgment: for the money is of the same nature, being destined for the same purpose, whether it was received in the past or in the future. The income is an addition to the Church's assets, and therefore, according to Article 5 of the aforementioned model statutes, it must be disbursed and administered ac-

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cording to the judgment of the Bishop, in one way or another. Therefore, with regard to the second question, the Auditors believe that the decree of the Ordinary should be upheld. Having considered all the matters of law and fact, We, the undersigned Auditors, sitting for the tribunal and with God alone before our eyes, decide, declare, and definitively sentence, in response to the question posed: "Affirmatively, in accordance with the manner, for the first part; Negatively, for the second part," or "the final judgment of February 28 should be confirmed in the following manner: 'Regarding I: Affirmatively, with respect to the first part. Regarding the second part, however: the disputed sum must be distributed in all respects as in the decree of the Bishop of July 21, 1912.' 'Regarding II: The decree of the Bishop should be upheld," and furthermore, We decree that all judicial expenses shall be borne by the plaintiff, Archpriest Novia.

[*Latin ed. p. 400*]

400 Acta Apostolicae Sedis - Official Commentary. We command to the Ordinaries of places and to the ministers of tribunals to whom it pertains, that they execute this our definitive sentence, according to the provisions of Title XVII of the Code of Canon Law, and that they proceed against those who resist, according to the norms of the sacred canons, and especially of chapter 3, session XXV, of the Council of Trent, and canon 1924 of the Code of Canon Law, employing those executive and coercive means which they shall judge to be most suitable and efficacious for the circumstances. In Rome, in the seat of the Tribunal of the Holy Roman Rota, on the 16th of July, 1920. John Prior, Prefect. Julius Grazioli. Francis Parrillo. From the Chancery, 12th of October, 1920. Rev. T. Tani, Notary.

[*Latin ed. p. 401*]

Diary of the Roman Curia, Sacred Congregation of Rites.

Tuesday, July 12, 1921, in the Apostolic Palace at the Vatican, with the participation of the Most Reverend and Right Reverend Cardinals, and with the votes of the Reverend Prelates and theological Consultors, the Preparatory Congregation of the Sacred Rites was held, to discuss a doubt concerning two miracles which are asserted to have been wrought by God through the intercession of the Blessed Mary Magdalene Postel, Virgin, Foundress of the Institute of the Sisters of Christian Schools of Mercy; these miracles are proposed for her canonization.

Tuesday, July 19, 1921, in the Apostolic Palace at the Vatican, the Ordinary Congregation of the Sacred Rites was held, in which, for the judgment of the Most Reverend and Right Reverend Cardinals, who are members thereof, the following matters were presented:

1) The introduction of the cause of beatification and canonization of the Servant of God, Anne Mary Antigo, professed nun of the Poor Clares, in Perpignan.

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2) The confirmation of the worship which, for a time beyond memory, has been paid to the Servant of God, Angelo de Scarpetti, of the Romiti of Saint Augustine, who is called Blessed.

3) The granting and approval of the Office, Mass, and the eulogy to be inserted in the Martyrology of the Friars Minor, in honor of the Blessed Margaret of Lorraine, professed nun of the Second Order of Saint Francis, in the diocese of Séez.

4) Finally, concerning the revision of the writings of the Servant of God, Sister Mary of the Passion of Our Lord Jesus Christ, of the Institute of the Crucified Adorers of the Most Holy Sacrament of the Eucharist.

Sacred Congregation "FOR THE ORIENTAL CHURCH."

NOTIFICATION

It is notified that Mr. Malik Pira, a Chaldean native of Persia, is a simple layman and not a Catholic Missionary. He is not to be considered authorized by the authority of the Catholic Church to solicit alms for his compatriots. The Most Reverend Ordinaries and the Reverend Superiors of Religious orders, both with regard to Mr. Malik Pira, and with regard to other soliciters, must adhere to the provisions of Circular No. 29642, issued by the Sacred Congregation of Propaganda Fide for Oriental Rite Affairs, on January 1, 1912 (Acta Apostolicae Sedis, IV, 1912, p. 532).

F. PAPADOPOULOS, Assessor.

ACTA, vol. XIII, n. 10. — 1-8-1921. 28

[*Latin ed. p. 402*]

40. Acta Apostolicae Sedis – Official Commentary. The Most Holy Apostolic Penitentiary. By order of the Most Reverend Cardinal Penitentiary Major, dated July 1, 1921, the Holy Father deigned to appoint Monsignor Silvio Fagiolo as Secretary of the Apostolic Penitentiary.

SECRETARY OF STATE APPOINTMENTS. By order of the Secretary of State, the Holy Father deigned to appoint:

July 14, 1921.

July 20.

July 22.

July 25.

July 27.

The Most Reverend Cardinal Giovanni Tacci, Protector of the Institute of the Sisters of Christian Education.

Monsignor Francesco Guglielmi, Prelate Referendary of the Supreme Tribunal of the Apostolic Signature.

The Reverend Father Umberto Kaldewey, Secretary of a Second-Class Apostolic Nunciature.

Monsignor Pietro Bene4etti, Archbishop *in partibus* of Tyre, Apostolic

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Delegate to Cuba and Puerto Rico.

Monsignor Ernesto Filippi, Archbishop *in partibus* elected to Sardica, Apostolic Delegate to Mexico.

Monsignor Francesco Borgongini-Duca, Pro-Secretary of the Sacred Congregation for Extraordinary Ecclesiastical Affairs, Consultor of the Supreme Congregation of the Holy Office.

Monsignor Pietro Fumasoni Biondi, Archbishop *in partibus* of Dioclea and Secretary of the Sacred Congregation for the Propagation of the Faith, Consultor of the Sacred Congregation for Extraordinary Ecclesiastical Affairs.

Monsignor Francesco Borgongini-Duca, Consultor of the Sacred Congregation for the Propagation of the Faith.

By Apostolic Briefs, the Holy Father deigned to appoint:

Assistants to the Papal Throne:

May 7, 1921.

Monsignor Francesco Maria Kersuzan, Bishop of Cap-Haïtien.

July 9.

Monsignor Giorgio Schmid de Grüneck, Bishop of Coira.

July 22.

Monsignor Giuseppe Francesco Re, Bishop of Alba.

[*Latin ed. p. 403*]

Diarium Romanae Curiae 403. Protonotaries Apostolic, in the manner of participants: 3, 6, 9, 18, 22 July, 1921.

Most Reverend Enrico Luigi Odelin, of the Archdiocese of Paris.

Most Reverend Giulio Lapalme, of the same Archdiocese.

Most Reverend Gustavo Pietro Lefebre, of the same Archdiocese.

Most Reverend Massimino Lillo, of the Diocese of Monopoli.

Most Reverend Enrico I. Grosch, of the Diocese of Nottingham.

Most Reverend Gaetano Grimaldi, of the Archdiocese of Bari.

Most Reverend Ferdinando Paulikowski, Chaplain Major in the Austrian Army.

Domestic Prelates of His Holiness:

February 20, 1918. Most Reverend Giovanni Jeremicli, of the Patriarchate of Venice.

April 6, 1921. Most Reverend Almas Larouche, of the Diocese of Chicoutimi.

June 10. Most Reverend Giuseppe Luyo, of the Archdiocese of Lima.

June 23. Most Reverend Leonardo Sion, of the Archdiocese of Gorizia.

June 25. Most Reverend Paolo Borroni, of the Archdiocese of Milan.

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June 29. Most Reverend Emanuele Vassallo, of the Diocese of Malta.

June 30. Most Reverend Ermenegildo Martínez y Marco, of the Archdiocese of Burgos.

July 2. Most Reverend Francesco Petich, of the Patriarchate of Venice.

July 6. Most Reverend Ugo Descuffi, of Rome.

July 7. Most Reverend Francesco Borgongini-Duca, of Rome.

July 8. Most Reverend Raffaele Caserta, of the Archdiocese of Naples.

Most Reverend Cipriano Dousset, of the Diocese of Cahors.

July 13. Most Reverend Paolo Velia Mangion, of the Diocese of Malta.

Most Reverend Michele Hourigan, of the Archdiocese of Adelaide.

Most Reverend Michele Maher, of the same Archdiocese.

July 22. His Royal Highness, Most Reverend Massimiliano of Saxony.

Most Reverend Luigi Lauletta, of the Archdiocese of Santa Severina.

HONORS.

With Apostolic Briefs, the Holy Father deigned to bestow the following honors:

The Grand Cross of the Order of the Holy Sepulchre: July 16, 1921. To Mr. Count Sutemi Chinda, a member of the Private Council of His Imperial Majesty the Emperor of Japan.

The Commander's Cross with Plaque of the Order of the Holy Sepulchre: June 26, 1921. To Mr. Colonel Giulio Répond, formerly Commander of the Pontifical Swiss Guard.

[*Latin ed. p. 404*]

Acta Apostolicae Sedis - Commentarium Officiale 404: The Commandery of the Order of Saint Gregory: June 29, 1921. To the Most Noble Count Paolo d'Artet, of the diocese of Liegi. On June 13th, Knighthood of the Order of Saint Gregory: 1921, To the Reverend Doctor Costantino Madias, of Chio. The Grand Cross of the Order of Saint Gregory the Great, civil class: June 25th, July 15th. July 16th. July 19th, 1921. To the Most Noble Marquess Claudio Lagergreen, of the Apostolic Vicariate of Sweden. To the Reverend Albert Salomon, Minister of Foreign Affairs of Peru. To the Reverend Oscar Barros, Minister of Cults in Peru. To the Reverend Pedro Iosè Rada y Gamio, Minister of Development in Peru. To the Reverend Professor Kinnosuke Murra, of the University of Tokio. To the Reverend Viscount Tamemori Iriye, Grand Chamberlain of His Imperial Highness, the Crown Prince of Japan. The Grand Cross of the Order of Saint Gregory the Great, military class: July 16th, July 20th, July 25th, 1921. To the Reverend Isam Takeshita, Vice Admiral of the Japanese Navy. To the Reverend Takeji Nara, General of Division, First Aide-de-Camp of His Imperial Highness, the Crown Prince of Japan. To the Reverend General Enrico Gouraud, High Commissioner of the French Republic in Syria. To His Excellency, the

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Reverend Giuseppe Wierusz Kowalski, Extraordinary Envoy and Minister Plenipotentiary of Poland to the Holy See. The Commandery with insignia of the Order of Saint Gregory the Great, civil class: July 15th, July 16th, 1921. To the Reverend Guglielmo Olaechea, of the archdiocese of Lima. To the Reverend Shutoku Matsui, Master of Ceremonies of His Imperial Highness, the Prince Kan-in. To the Reverend Hachiro Saionji, Master of Ceremonies of His Most Thrice Excellent Majesty, the Emperor of Japan. The Commandery of the Order of Saint Gregory the Great, civil class: June 27th, July 2nd, 1921. To the Reverend Francesco Van Gardinge, of the diocese of Bois-le-Duc. To the Reverend Giovanni Me Cormack, of the archdiocese of New York.

[*Latin ed. p. 405*]

Diarium Romanae Curiae, July 16th [followed by a series of dates] 1921.

To the Most Noble Viscount Masanao Tsuchiya, Chamberlain of His Imperial Majesty, the Crown Prince of Japan.

To the Most Noble Mr. Ujihide Toda, Secretary of the Household of His Imperial Majesty, the Crown Prince of Japan.

To the Most Noble Mr. Setsuzp Sawada, Secretary in the Ministry of Foreign Affairs of Japan.

To the Most Noble Mr. Giacomo Curreno, of the Archdiocese of Turin.

To the Most Noble Mr. Gian Luigi Andreis, of the same Archdiocese.

To the Most Noble Mr. Fernando Roca de Togores y Caballero, Marquis de Tornero, Knight of the Field of Her Catholic Majesty.

To the Most Noble Mr. Riccardo Rey y Boza, Envoy from Peru to the Holy See.

The Order of Saint Gregory the Great, military class: June 22, 1921.

To the Most Noble Mr. Edoardo F. Benedetto Charlton, Vice-Admiral of the British Navy.

July 6th: To the Most Noble Mr. Luigi Hirschbühl, Commander of the Pontifical Swiss Guard.

July 16th: To the Most Noble Colonel Yoshiya Fukuda, Aide-de-Camp to His Imperial Highness, Prince Kan-in.

To the Most Noble Captain Koshiro Oikawa, Aide-de-Camp to His Imperial Majesty, the Crown Prince of Japan.

To the Most Noble Mr. Giulio Cesare Carletti, formerly Lieutenant in the Pontifical Army.

July 25th: To the Most Noble Count Paolo Datti, Aide in the Pontifical Noble Guard.

To the Most Noble Count Francesco Antamoro, Cadet in the Pontifical Noble Guard.

To the Most Noble Marquis Alfonso Serlupi, Cadet in the Pontifical No-

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ble Guard.

To the Most Noble Marquis Giuseppe Nannerini, Cadet in the Pontifical Noble Guard.

To the Most Noble Count Odoardo Aluffi, Cadet in the Pontifical Noble Guard.

The Order of Saint Gregory the Great, civil class: June 6, July 2, 8, 1921.

To the Most Noble Mr. Sebastiano Fernando, of the Archdiocese of Colombo.

To the Most Noble Mr. Paolo C. Luiz, of the Archdiocese of Verapoli.

To the Most Noble Mr. Annibale Viti Mariani, of Rome.

To the Most Noble Mr. Emmanuele Andrea Giulio de Martineng, of the Diocese of Fréjus.

To the Most Noble Mr. Onorato Luigi Francesco Sivan, of the same Diocese.

[*Latin ed. p. 406*]

Acta Apostolicae Sedis - Official Commentary 406 15-16 July » » » 1921. To the Reverend Mr. Lewis Huvey, of the diocese of Chartres. » To the Reverend Dr. Zennoshin Hatta, physician to His Imperial Highness, the Crown Prince of Japan. » To the Reverend Count Yoshinori Futara, Secretary of the Imperial Household Ministry of Japan. The Knighthood of the Order of Saint Gregory the Great, military class: 8 July 13 » » » 16 1921. To the Reverend Mr. Alfonso Renaud, formerly a Papal Zouave, of the archdiocese of Montreal. » To the Reverend Mr. Lesmes Dehesa Abriat, Ensign of the Royal Corps of Halberdiers of Spain. » To the Reverend Mr. Gioacchino Cabeza de Vaca y Santos Suarez, Ensign of the Royal Guard of Spain. » To the Reverend Commander Toyoki Hamada, Aide-de-Camp to His Imperial Highness, the Crown Prince of Japan. The Grand Cross of the Order of Saint Sylvester Pope: 19 July 1921. To the Reverend Mr. Emanuele Perez-Seoane y Roca De Togores, Count of Velie, First Introducer of Ambassadors to the Royal Court of Spain. The Commanderate of the Order of Saint Sylvester Pope: 5 13 July » » » 1921. To the Reverend Mr. Fortunato Federici, of the archdiocese of L'Aquila. » To the Reverend Mr. Acacio Moscoso Alhado, Commander of the Royal Corps of Halberdiers of Spain. » To the Reverend Mr. Carlo Nieulant y Erro, Commander of the Royal Guard of Spain. The Knighthood of the Order of Saint Sylvester Pope: 5 July 7 9 13 » » » 15 » » » » » 19 20 » » » » 1921. To the Reverend Mr. Giovanni Hallenbarten, of the Swiss Papal Guard. » To the Reverend Dr. Giuseppe Mueller, of the diocese of Lausanne. » To the Reverend Mr. Giovanni Herbaut, of the archdiocese of Paris. » To the Reverend Mr. Giuseppe Morales Correa, Cabinet Courier of Her Most Catholic Majesty. » To the Reverend Mr. Teodoro Favre, formerly an Officer in the Papal Army. » To the Reverend Mr. Alfonso Gualtieri, formerly an Officer in the Papal Army. » To the Reverend Mr. Lizardo Velazco,

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of the archdiocese of Lima. » To the Reverend Mr. Gonzalo Herrera, of the same archdiocese. » To the Reverend Mr. Nicola Massaruti (Rome). » To the Reverend Mr. Angelo Cassinis (Rome).

[*Latin ed. p. 407*]

FROM the Roman Diary, SECRETARY'S OFFICE OF HIS HOLINESS, BY ORDER: With the tickets of His Eminence, the Reverend Monsignor, Secretary, the Holy Father has deigned to appoint:

Extraordinary Secret Chamberlains of His Holiness:

February 14, 1921. Monsignor Giacomo Giuseppe Redmond, of the diocese of Liverpool.

June 11, idem. Monsignor Abdon Melibeu de Lima, of the archdiocese of Parahiba.

idem. Monsignor Emidio Gardoso, of the same archdiocese.

idem. Monsignor Francesco Vitelli, of the archdiocese of Naples.

idem. Monsignor Salvatore Raia, of the same archdiocese.

idem. Monsignor Teodoro Innitzer, of the archdiocese of Vienne.

July 1, idem. Monsignor Chiaffredo Gosso, of the diocese of Saluzzo.

July 4, idem. Monsignor Giovanni Romagnoli (Rome).

July 6, idem. Monsignor Valerio Valeri (Rome).

July 8, idem. Monsignor Francesco Fornara, of the diocese of Novara.

July 12, idem. Monsignor Asdrubale Betti, of the diocese of Osimo and Cingoli.

idem. Monsignor Oddone Sabbatini, of the same diocese.

July 15, idem. Monsignor Alessandro Sobaux, of the diocese of Luçon.

Extraordinary Secret Chamberlains with Sword and Mantle of His Holiness:

June 11, 1921. The Honorable Count Arbeno Attems, of the archdiocese of Gorizia.

July 2, idem. The Honorable Giuseppe Gamazo y Garcia de los Rios, of the diocese of Madrid.

idem. The Honorable Count Cristiano D'Elbee, of the diocese of Rayonne.

idem. The Honorable Count Leone Colonna Czosnowski (Rome).

Honorary Chamberlains in Peacock Blue of His Holiness:

June 11, 1921. Monsignor Anthony Vecchi, of the diocese of Nusco.

June 18, idem. Monsignor Giuseppe Pagella, of the diocese of Alessandria.

July 1, idem. Monsignor Enrico Perez Capetillo, of the archdiocese of Yucatán (Mexico).

July 4, idem. Monsignor Alessandro Evreinow (Rome).

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July 12, idem. Monsignor Giuseppe Trikál, of the archdiocese of Strigonia.

idem. Monsignor Cristiano Gohr, of the diocese of Breslau.

July 15, idem. Monsignor Francesco Bayer, of the diocese of Seckau.

July 26, idem. Monsignor Umberto Kaldewey (Rome).

[*Latin ed. p. 408*]

408 Acta Apostolicae Sedis - Official Commentary of the Honorary Chamberlains of Sword and Cape, extraordinary, of His Holiness: 8 July » 1921. Mr. Valeriano Stawiarski, of the diocese of Premislia. Mr. Giuseppe Casanova Dalfó, of the Archdiocese of Valence. Honorary Secret Chamberlain of His Holiness: 19 July 1921. Monsignor Licinio Refice (Rome). NECROLOGY: 12 July » 1921. Monsignor Giuseppe Maria Koudelka, Bishop of Superior. Monsignor Paolo Soninosi, Archbishop titular of Marcianopoli.

[*Latin ed. p. 409*]

Year XIII - Vol. XIII, September 1, 1921, No. 11. ACTA APOSOLICAE SEDIS, OFFICIAL COMMENTARY. ACTA OF POPE BENEDICT XV. APOSTOLIC CONSTITUTION. THE APOSTOLIC VICARIATE OF SAXONY AND THE APOSTOLIC PREFECTURE OF LUSATIA ARE SUPPRESSED, AND THE DIOCESE OF MISNEN, WHICH WAS PREVIOUSLY EXTINCT, IS RESTORED WITHIN THEIR TERRITORY. BENEDICT, BISHOP, SERVANT OF THE SERVANTS OF GOD, FOR THE PERPETUAL REMEMBRANCE. The solicitude of all the Churches, which rests upon the Roman Pontiff, demands that those things which most contribute to the growth of religion and to the better governance of the faithful be diligently pursued. Therefore, since the collegiate church of Saint Peter in Bautzen, now approaching its seventh centenary from its canonical constitution, has offered humble prayers to the Apostolic See, so that from the territory of both the Apostolic Prefecture of Lusatia and the Apostolic Vicariate of Saxony, the ancient Diocese of Misnen, which was extinguished some centuries ago, might be restored; We, desiring this for the spread of the Christian name and for the good of ecclesiastical governance, and bearing in mind the aforementioned Chapter's singular fidelity and devotion to the Apostolic See, as well as its outstanding merits for the Catholic religion, having received the vote of Our beloved sons, the Cardinals of the Sacred Roman Church, Prefects of the Sacred Congregation for the Propagation of the Faith, we have judged it fitting to favorably and willingly grant the offered prayers. For this reason, with the fullness of Apostolic authority, and with the presumed consent of those who are concerned or who may be concerned by this matter, by these present Letters, We decree that the territory of the aforementioned

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Apostolic Prefecture be... ACTA, vol. XIII, n. 11. — 1-9-1921. 29

[*Latin ed. p. 410*]

410 Acta Apostolicae Sedis - Official Commentary concerning Lusatia and the Vicariate Apostolic of Saxonia, which are suppressed permanently, and are erected into a diocese called Misnensem, which will be immediately subject to the Holy See and subject to the jurisdiction of the Sacred Congregation of the Consistory. We establish the seat and the episcopal cathedral of this diocese in the city of Bautzen in Lusatia, and therefore we elevate it to the rank and honor of a bishopric, together with all the privileges and rights with which other bishoprics enjoy by common law. The collegiate church of Saint Peter in Bautzen is raised to the status and dignity of a cathedral, and we grant to it and to its then-bishops the honors, insignia, favors, graces, privileges, and rights with which other cathedrals and their then-incumbents enjoy, either by law or by legitimate custom. We also command that the collegiate chapter of Saint Peter in Bautzen be erected into a cathedral chapter of the diocese of Misnensis; and for its benefit and favor, we wish that it remain and be confirmed, according to the most recent decrees of the Code of Canon Law, its own chapter statutes, and all the privileges and rights which it has legitimately obtained up to now, always with the free election of the canons and offices of the chapter, according to common law, and with the future removal of any Dean of the same chapter from any ecclesiastical jurisdiction over the faithful. We also command that, with regard to the institution of the diocesan seminary, the election of a Capitular Vicar when the office is vacant, the rights and obligations of the clergy and the faithful, and other matters of this kind, the sacred canons which prescribe these things be duly observed. Until this new diocese is provided with its own pastor, we entrust its governance to our beloved son James Skala, the current Dean of the chapter, as Apostolic Administrator, granting him all the faculties and rights which belong to this office. Furthermore, these Letters and everything contained in them, even if anyone, who may believe it to be in their interest or presume such, have not been heard or have not agreed to the foregoing, even if they are worthy of express, specific, and individual mention, shall never, at any time, be subject to the defect of fraud, or usurpation, or nullity, or of our intention, or by any other means, even a substantial and unforeseen defect, be noted, impugned, or brought into controversy; but that they, as made and issued with certain knowledge and full authority, shall remain and be forever valid, and shall have and obtain their full and complete effect, and shall be inviolably observed by all to whom they apply, and if, contrary to this, anything should happen concerning these matters, knowingly or unknowingly, by any authority, we will and decree that it shall be entirely

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void and of no effect.

[*Latin ed. p. 411*]

411. The Acts of Pope Benedict XV. Therefore, having established the aforementioned matters, and ordering that all be carried out accordingly, we appoint the venerable brother Eugene Pacelli, titular Archbishop of Sardinia, as Apostolic Nuncio in Germany, granting him the necessary and appropriate faculties, including the power to delegate, to achieve the aforementioned purpose, and to send to the Sacred Congregation of the Consistory, within six months from the date of these letters, an authentic copy of the completed execution. Finally, we command that the same faith be given to copies of these letters, whether handwritten or printed, if they are presented with the endorsement of a public notary and are sealed with the seal of someone holding ecclesiastical office, as would be given to these Our letters if they were exhibited or shown. Notwithstanding any rules established in synodal, provincial, general, and universal Councils; special or general Apostolic constitutions and ordinances; and any other dispositions of Our predecessors, the Roman Pontiffs; and all other contrary provisions. Therefore, it is not permitted to anyone to suppress, alter, or contravene these Our letters of suppression, election, or restitution; decree, mandate, or derogation; or to act against Our will. If anyone, with reckless audacity, should presume to attempt this, let him know that he will incur the wrath of Almighty God, and of the blessed Apostles Peter and Paul. Given at Rome, at Saint Peter's, in the year of Our Lord nineteen hundred and twenty-one, on the twenty-fourth day of the month of June, in the seventh year of Our pontificate.

j$l C. CARD. DE LAI, Bishop of Sabina. S. C. Cornisi. Secretary.

O. CARD. CAGIANO, S. B. E. Chancellor.

Ludovicus Schüller, Apostolic Protonotary.

Leopoldus Capitani, Substitute Registrar, by special delegation.

Loco ^ plumbi Beg. in Cane. Ap., vol. XXIII, n. 50.

[*Latin ed. p. 412*]

Acts of the Apostolic See - Official Commentary. APOSTOLIC LETTER. 1. CONFERRING THE TITLE OF MINOR BASILICA UPON THE CHURCH OF SAINT STEPHEN, ARCHPRIORY OF THE CITY OF LAVAGNA, WITHIN THE DIOCESE OF CLAVARENSIS. BENEDICT XV. For the perpetual memory of the matter. — Among the sacred buildings with which the city of Lavagna, located within the territory of the diocese of Clavarensis, is adorned, the collegiate and parish church of Saint Stephen stands out for its antiquity and the grandeur of its structure. It boasts magnificent works of art, painted panels, skillfully sculpted statues, and marble monuments, and it is also richly endowed with sacred furnishings, and it never fails to provide worthy service to the sacred

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ceremonies, the divine worship, and the piety of the faithful. Furthermore, it cannot be overlooked that this same church was splendidly restored and embellished a few years ago, thanks to the contributions of a chapter of canons and clergy, the wealth of the citizens, and the generosity of other faithful, especially those of Lavagna, who all and each have eagerly sought to enhance the beauty of their mother church with pious and generous zeal. The sacred and civil monuments of the city of Lavagna, both ancient and more recent, also attest to the virtue and religion of its citizens, among whom there have been outstanding men and women, distinguished in arms, in the sciences, in letters, in dignity, and in the sanctity of their lives. First among these are Innocent IV and Adrian IV, our predecessors as Supreme Pontiffs, seventy-two Cardinals, and approximately three hundred and sixty members of the clergy of Lavagna; nor should we forget the holy matron Catherine Füsca, renowned for her contempt of the world and her charity towards God. Given these circumstances, and since the chapter, the clergy, and the officials of the aforementioned archpriory and collegiate church of Saint Stephen, as well as the Rector and the citizens and notables of the city of Lavagna, have humbly presented petitions to us, requesting that we grant the aforementioned church the title and dignity of a Minor Basilica; we, recalling the illustrious memories of that temple and of the city, and considering that these petitions have been reinforced and enriched by the fervent support of the Most Reverend Bishop of Clavarensis, have deemed it fitting to grant them with a willing heart. Wherefore, after also consulting with our Most Reverend and Venerable Brothers, the Cardinals of the Sacred Roman Rota,

[*Latin ed. p. 413*]

413 The acts of Pope Benedict XV, presented to the congregation, by Our Apostolic authority, grant perpetually and in every respect, the archpriestly and collegiate church dedicated to God in honor of Saint Stephen, in the city of Lavaniensis, in the diocese of Clavarensis, in the province of Genuensis, the title and dignity of a minor basilica, with all the honors and privileges that rightfully belong to the minor basilicas of this most holy city. We grant this, decreeing that these Our letters shall always remain firm, valid, and effective, and shall fully and completely produce and obtain their intended effects, and shall fully suffice for those to whom they pertain, now and in the future; and it shall be rightly judged and defined that, from this moment, anything to the contrary shall be considered void and of no effect, if anyone, by any authority whatsoever, knowingly or unknowingly, should attempt to alter anything concerning these matters. Notwithstanding any contrary provisions. XVI Given in Rome, at Saint Peter's, under the seal, in the year 1921, in the seventh year of Our pontificate. P. CARD. GASPARRI, Secretary of State.

II THE METROPOLITAN CHURCH OF LIMANA IS PROMOTED TO

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THE DIGNITY OF A MINOR BASILICA. BENEDICT XV. For the perpetual memory of this event. — It is known to Us that the metropolitan church of Limana, of the entire Peruvian region, surpasses all other sacred buildings in South America in antiquity, size, and the magnificence of its artistic works. It is traditionally known that Francis Pizarro, who first visited the Peruvian shores, founded the city of Limana, and that he laid the first stone of that church, which in the year 1541, Pope Paul III, Our predecessor, promoted first to the status of a cathedral, and then, in the year 1545, to the dignity of a metropolitan church; and whose patron saint is designated as Saint John the Evangelist. In those early years, the Church of Limana encompassed vast regions, and the sees of Nicaragua, Columbiae, Ecuador, Chile, and Bolivia were suffragan sees to it; therefore, rightly and justly, Our predecessor, Pope Pius V, in the year 1571, bestowed upon it the title of a Primatial Church. In the city of Limana, which is the principal city of the Peruvian region, Christian affairs continuously flourished; the...

[*Latin ed. p. 414*]

Acts of the Apostolic See - Official Commentary 414, and to it, as if drawn by a magnet, have flocked: Preachers, the Brothers Minor, the Mercedarians, the Augustinian Hermits, regular clerics of the Society of Jesus, the Discalced Carmelites, ministers to the sick, monks of the Benedictine Order, enriching and adorning the city with numerous monasteries and temples. The Church of Lima, which, according to the most ancient tradition received from the ancient aborigines, had as its first herald of the Gospel, the Apostle Thomas, has always flourished under pious pastors, among whom it is pleasing to mention Saint Toribio, who instituted provincial councils in the latter part of the sixteenth century, and who most holily governed the archdiocese, which at that time was the largest in the Catholic world by the extent of its territory. The Peruvian region, unique in all of America, has produced men and women distinguished by heavenly honors, namely, Saint Rose of Lima, Saint Francis Solanus, Blessed Martin de Porres, Blessed John Macias, and others venerable, who have illuminated the homeland with the example of a holy life and heroic virtues. Therefore, the Roman Pontiffs have always regarded the Peruvian nation, and especially the metropolitan Church of Lima, with a singular and constant affection; and since the present Archbishop of Lima, in the name of himself and his chapter, has expressed fervent wishes that we would deign to raise the metropolitan see to the dignity of a Basilica, we have readily and gladly agreed to these wishes. Therefore, in this year, in which the first century since the Peruvian nation vindicated its freedom has begun, that we may add a special significance to this auspicious event with the will of the Pontiff, by our Apostolic authority, in the present and forever, we raise the metropolitan Church of Lima, dedicated to the holy Apostle John the Evangelist, to the dignity of a minor Basilica, with all and each of the

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honors and privileges that rightfully belong to the minor Basilicas of this holy City. We decree that these present Letters shall always remain valid and effective, and shall fully produce and obtain their intended effects, and that they shall fully suffice for those to whom they pertain or may pertain; and that, rightly, they shall be judged and defined, and that, from this moment, anything to the contrary shall be considered void and of no effect, whatever authority may have attempted it, knowingly or unknowingly. Notwithstanding any contrary provisions. Given at Rome, near Saint Peter, under the Fisherman's Ring, on the day of May, in the year 1921, in the seventh year of Our Pontificate. XXVIII P. CARD. GASPARRI, Secretary of State.

[*Latin ed. p. 415*]

The acts of Pope Benedict XV, section III, concerning a portion of the territory of the Oriental Vicariate of the River, situated near the Apostolic Prefecture of Ce-li, which is separated from the Southern Sciam-tom Vicariate by the Yellow River (Hoang-Ho). To the southeast, and is added to the Vicariate of Benedict XV, for the future remembrance thereof. — By virtue of the supreme apostolate with which We are divinely endowed, We strive with diligent study to determine what may best serve the explored interests of the Christian people. Indeed, the venerable Brother Henry Lecroart, Apostolic Vicar of Ce-li in the southeast of China, having earnestly requested, due to the difficulty of crossing the Yellow River (Hoang-Ho) in order to fulfill his pastoral duties, that a portion of the territory under his jurisdiction, situated to the east of the aforementioned river, be united with the neighboring Apostolic Vicariate of Southern Sciam-tom, We, after having consulted with the Most Reverend Fathers, Cardinals Prefects of the Congregation for the Propagation of the Faith, and having carefully considered all the circumstances of the matter, have deemed it fitting to graciously grant the aforementioned request. Therefore, by Our Apostolic authority, by the tenor of these presents, We separate the territory situated to the east of the Yellow River, commonly called the Hoang-Ho, encompassing the sub-prefecture of TungMing and the southern part of the sub-prefecture of Ghang-Yuan, from the Apostolic Vicariate of Ce-li in the southeast, and We assign it, by the same Our authority, to the Apostolic Vicariate of Southern Sciam-tom. These things We have decreed, establishing these present Letters to be firm, valid, and efficacious forever, and to produce and obtain their full and complete effects, and to be fully observed by those to whom they pertain, or may pertain; and it is to be duly judged and determined that, from this moment forward, everything contrary to these things, whether attempted by anyone, with or without knowledge, shall be null and void. Notwithstanding any contrary provisions. Given at Rome, near Saint Peter's, under the Fisherman's Ring, on the first day of June, in the

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year 1921, in the seventh year of Our pontificate. P. CARD. GASPARRI, Secretary of State.

[*Latin ed. p. 416*]

416 Acta Apostolicae Sedis - Official Commentary. A general or common mandate is issued once and for all to the ordinary of the place for the blessing of abbots of the Order of Saint Benedict. BENEDICT XV. For the perpetual memory of the matter. – Two formulas are found in the Roman Pontifical for the blessing of abbots: one for the blessing by the authority of the Apostolic See, and the other for the blessing by the authority of the ordinary. The latter was to be used in the blessing of abbots who were not exempt from the jurisdiction of the local ordinary, and who, therefore, were required to promise obedience and subjection to their proper local ordinary in the very act of the blessing. The former formula, as is still the case today, was used in the blessing of abbots who are exempt, whose blessing is either performed in the Roman Curia, or is carried out outside the Roman Curia by order of the Apostolic See, and who are not required to promise obedience and subjection to the local ordinary, from whose authority they are exempt. Since all abbots of the Order of Saint Benedict enjoy the privilege of exemption, which, in addition to numerous ancient laws repeatedly issued, is also confirmed by the recently promulgated Code of Canon Law (can. 615), the blessing of these abbots is always performed by the authority of the Apostolic See. But since this blessing is often to be administered outside the Roman Curia, a specific Apostolic mandate must be requested in each case, which is generally addressed to the bishop whose diocese is the location where the abbey of the abbot to be blessed is situated, unless it is a matter of blessing an abbot who belongs to no diocese, or if a special privilege exists for receiving the blessing from any bishop. The Code, referring completely to the ancient law in this matter, does not exempt from obtaining an Apostolic mandate, nor does it confer it by right to the diocesan bishop, but the necessity of the aforementioned mandate remains, as before. Considering the widespread propagation of the Order of Saint Benedict throughout the world, and the fact that in many cases, even from distant regions, recourse is made to this Holy See for an Apostolic mandate, and meanwhile the blessing must be postponed for a long time, the esteemed son, Fidelis of Stotzingen, Abbot Primate of the Order of Saint Benedict, expressing the sentiments of the entire Benedictine Confederation, has urged us to issue a general or common Apostolic mandate, once and for all, for the blessing of all abbots of the same Order outside the Roman Curia. We, therefore,

[*Latin ed. p. 417*]

The acts of Pope Benedict XV, page 417, having carefully and diligently considered matters of importance, so that the illustrious and most vener-

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able Order, Patriarch of the Western Monks, established as a pillar and support of the Church, may receive a new pledge of Pontifical favor, we, approving the wishes of the Abbots, by Our Apostolic authority, with full force and forever, for all the Abbots united in the Order of Saint Benedict, grant, for the future, outside of Rome, for the blessing of the Curia, everywhere throughout the lands, a general or common Apostolic mandate directed to the respective diocesan Bishop, once and for all, which may be read during the ritual Pontifical interrogation: "Do you have an Apostolic mandate?" Furthermore, since diocesan Bishops are sometimes hindered from administering the abbatial blessing at the opportune time, we grant that, with firm and special privileges, not only the Abbots of nullius dioceses, as mentioned in can. 322 § 2; 323 § 1, and also the Abbots whose monasteries are located within the territory of a nullius diocese, but also other Abbots of the Order of Saint Benedict united together, may receive this aforementioned blessing from any Bishop in communion with this Holy See, whenever the episcopal see is vacant, or whenever it is established in writing that the diocesan Bishop is either legitimately hindered from conferring it himself, or has given his consent to this. We moreover decree that, in the solemn ceremony of the blessing, the Abbot to be blessed must always be bound by the customary oath to observe due fidelity. These things we have decided, decreeing that these present letters shall always remain valid and effective, and shall have their full and complete effect and obtain it, and that they shall most amply suffice for those to whom they pertain or may pertain, now and in the future; and that it shall be rightly judged and defined, and shall be declared void from this time forward, if anything contrary to these should happen to be attempted by anyone, with any authority whatsoever, knowingly or unknowingly. Notwithstanding any contrary provisions. We wish that to these present letters, whether transcribed or in printed form, signed by the hand of a public notary, and sealed with the seal of a person constituted in ecclesiastical dignity, the very same faith be given as would be given to these present if they were exhibited or shown. Given at Rome, at Saint Peter's, under the Fisherman's ring, on the 19th day of June, 1921, in the seventh year of Our Pontificate. P. CARD. GASPARRI, Secretary of State.

[*Latin ed. p. 418*]

418 V. The Cathedral Church of Burgos, endowed with the dignity of a Basilica of the Most Holy Virgin, is hereby honored. BENEDICT XV. For the perpetual memory of this event. — Following in the footsteps of Our predecessors, who have customarily enriched those temples throughout the Catholic world that excel in antiquity, dignity, and artistic monuments, with special titles and privileges, so that they may be revered and venerated by the people of the regions in which they are located, and so that the faithful may, with greater fervor, pray to God within them. For this rea-

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son, when Our beloved son, John, Cardinal Benlloch y Vivó, of the Sacred Roman Church, Archbishop of Burgos by Apostolic dispensation, who is presently present at the Roman Curia, presented to Us his petitions, We, moved by his prayers, were pleased to grant that the Cathedral Church of Burgos be endowed with the dignity, title, and privileges of a Minor Basilica, through Our benevolence. And indeed, We know very well that the aforementioned Cathedral holds a prominent place among the sacred buildings that adorn the regions of Spain, and that it is a testament to the zeal of the Catholic people of Spain for the practice of religion; for the very temple, begun in the year 1221 by the Bishop of Burgos, Mauritius, under the auspices and with the assistance of the most holy King Ferdinand of Spain, surpasses all others in the entire Spanish region in its size, its artistic works, its magnificent Gothic features, its altar, and the abundance and splendor of its sacred furnishings. Moreover, We are aware that, in the coming month of July of this year, the seven hundredth anniversary will be celebrated since the laying of the foundation stone of this sacred building, and therefore We also desire to make this auspicious event even more joyful, and to encourage the faithful of the Archdiocese of Burgos to increase their devotion to the Blessed Virgin Mary, who was assumed into Heaven, to whom this very Cathedral Church is dedicated. Therefore, after consultations with the Most Reverend Cardinals of the Congregation of Sacred Rites, by Our own initiative and with careful deliberation, and by the fullness of Our Apostolic authority, by the tenor of the present document, We hereby honor, in perpetuity, the aforementioned Cathedral Church of the Archdiocese of Burgos, with the dignity and title of a Minor Basilica, together with all the privileges.

[*Latin ed. p. 419*]

By order of Pope Benedict XV, with all honors, prerogatives, privileges, indulgences, which by right belong to this venerable city's basilicas. We decree that these present letters shall always exist and remain valid and effective, and shall continually produce and obtain their full and complete effects, and that they shall fully benefit those to whom they pertain, now and in the future; and that it shall be rightly judged and defined, and that whatever is contrary to these shall, from this moment, be declared invalid and void, if anything should happen to be attempted against them by any authority whatsoever, knowingly or unknowingly. Notwithstanding any contrary provisions. Given in Rome, at Saint Peter's, under the Fisherman's ring, on the day of July, 1921, in the seventh year of Our pontificate. P. CARD. GASPARRI, Secretary of State.

IT ORIGINATES IN THE POPULAR "AVE MARIA," THE PRIMARY "WORK" WITH THE FACULTY OF BEING REPEATED THREE TIMES, TO WHICH ARE ADDED THE BLESSINGS OF THE ANGELIC SALUTATION, AND CERTAIN PRIVILEGES. BENEDICT XV. For the perpetual

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memory of this matter.

Nothing is more pleasing to Us than that piety towards the Virgin Mary, Co-Redemptrix of the human race, may be aroused in the Christian people. It is very beneficial for achieving this end that the repeated Angelic Salutation be recited, which has been preached by holy men from ancient times, and which Our predecessors, the Roman Pontiffs, have promoted, adding special graces from the treasury of the Church. Therefore, We have learned with joy that a pious society or confraternity, canonically established under the title of "The Angelic Salutation Repeated Three Times," has been founded in the city of Blois, in the chapel of the Blessed Virgin Mary Immaculate, to recall the power, wisdom, and mercy of the Mother of God. We have indeed learned that this society has, in a short time, with God's favor, experienced great growth and has been approved by many ecclesiastical authorities, and that it has not only spread throughout all of France, but has also, beyond the borders of that nation, now extended to Italy, Portugal, and to other Catholic missions, and has not diminished in the number of members or in good works.

[*Latin ed. p. 420*]

By the Acts of the Apostolic Sees – an official commentary on the flourishing of works. Now, since the same Father Chlodoveus, the present Moderator of the aforementioned society, has humbly made supplications to us, so that we might deem it fitting to promote the society itself to the Primary grade, or to the Archiconfraternity, and these supplications are accompanied by the consensus and suffrage of many Bishops, Archbishops, and even Cardinals of the Most Holy Roman Church; we have readily and willingly judged it fitting to assent to these wishes.

Therefore, after having consulted with the Most Reverend Fathers, Cardinals of the Congregation entrusted with interpreting the decrees of the Council of Trent, by our Apostolic authority, with the force of the present and for all time, we erect and establish the Association, bearing the title "Salutationis Angelicae ter repetitae" [Thrice repeated Hail], canonically existing in the public chapel, dedicated to the Immaculate Conception, of the Order of the Friars Minor Capuchin of the city of Blois, into an Archiconfraternity, or Primary Society, with the customary privileges.

Furthermore, by our authority, with the force of the present and for all time, we grant to the officials and members, present and future, of the Society thus erected by us in the Primary grade, that they may, while religiously observing the prescriptions of the sacred canons, associate with other societies of the same name and institute, wherever they may be established, or to be established in the future, and that they may communicate with them regarding all and each of the indulgences granted or to be granted to said Primary Archiconfraternity by this Holy See, provided that they may communicate with others.

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Moreover, desiring to promote the spiritual well-being of the members of the aforementioned Archiconfraternity, having heard our beloved son, the Most Reverend Cardinal Penitentiary Major, and confident in the mercy of Almighty God and in the authority of the blessed Apostles Peter and Paul, we grant to all and each of the faithful, of both sexes, who shall hereafter join said Archiconfraternity "Salutationis Angelicae ter repetitae," a plenary indulgence on the first day of their entrance, provided that they have, through sacramental confession, expiated their sins and received the holy communion, and that they shall offer devout prayers to God for the concord of Christian princes, the eradication of heresies, the conversion of sinners, and the exaltation of the Holy Mother Church; and, if it concerns absent members, we grant that they may obtain it, provided that they observe what is to be observed, and that they certainly know the day on which they were first enrolled; and to members who are enrolled now or in the future, at the hour of their death, if they are truly penitent, and have confessed, and have received the Holy Communion, or, if they are unable to do so, have devoutly invoked the name of Jesus, if they can with their mouth, or, if not, with their heart, and have patiently accepted death as the penalty for sin from the hand of the Lord, we also grant a plenary indulgence.

Furthermore, to these now...

[*Latin ed. p. 421*]

The acts of Pope Benedict XV, number 421, and subsequently, to those faithful who are admitted to this Archisodality, or Primary Society, on the three principal feast days of the Association, namely, the Immaculate Conception, the Annunciation, and the Assumption of the Blessed Virgin Mary, and on the four patronal feasts of the aforementioned Archisodality, namely, the feast of Saint Mechtild, the feast of Saint Anthony of Padua, the feast of Saint Leonard of Port Maurice, and the feast of Saint Alphonsus of Liguori, Confessor and Doctor of the Church; and also on the three other feasts of Saint Joseph, the Blessed Virgin Mary's Spouse, the feast of Saint Gabriel the Archangel, and the feast of Saint Francis of Assisi; and finally, on the first Saturday of each month, having been absolved of their sins through sacramental confession and refreshed with heavenly delights, each year, from the middle of the day preceding the feast until the middle of the night of the respective feast, they shall visit their own Association's chapel, if one exists in the places where they live, or otherwise, any public church or chapel, and there, as above, they shall offer devout prayers, and on that day, they shall perform the works of piety prescribed, and moreover, we grant a plenary indulgence. Furthermore, to the members of this Primary Association, both present and future, whenever they recite the Angelic Salutation three times, with a contrite heart and with devotion, during the nine days following, they shall gain seven years and seven hundred days; and whenever they recite the same Salutation three

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times, with the same contrite heart and devotion, they shall gain three hundred days. To the members of the second grade, or those called "zealots," whenever, according to the rules of the Association, they recite the Angelic Salutation three times, in order to spread this pious custom, or when they have assisted in enrolling faithful into the same society, we shall remove them from the number of those subject to penance, in the usual manner of the Church, by one hundred. In addition to these, we grant permission to priests who are enrolled or who will be enrolled in the future, to apply the altar indulgence to the Masses which they duly celebrate for the dead, for three days each week. To the priests who are Moderators of all the associations that are to be added to this Primary Association, we grant the faculty to, while observing the laws, and provided they are approved for hearing sacramental confessions, publicly, during sacred missions, and at other times privately, to bless, according to the prescribed rite and formula, crosses, crucifixes, sacred medals, prayer beads, and small statues of Our Lord Jesus Christ, the Blessed Virgin Mary, and the Saints, made of metal, and to apply to them the indulgences contained in the list published on the fifth day of September, in the year 1914, not excluding those indulgences granted by Saint Bridget, and also those called the indulgences of the Fathers Crucifer. To these Moderators, during their office, we grant the privilege of celebrating Mass four times a week, and through these Masses, duly celebrated at any altar of any church, they shall gain the indulgences.

[*Latin ed. p. 422*]

4M% x Acta Apostolicae Sedis - The acts performed shall be considered as having been performed as if they had been celebrated at a privileged altar, provided that they have been carried out in accordance with the regulations. Furthermore, since the members themselves, being enrolled in the Primary Association or Archisodalitas, frequently recite the pious invocation, already enriched by indulgences from this Apostolic See: "O Mother, deliver me today from mortal sin," We permit that the members may substitute the word "today" with "during this day," if they recite the invocation in the morning, or "during this night," if they recite it in the evening, and in any language, provided that the translation is faithful, so that the indulgence attached to the invocation suffers no detriment. We grant this, decreeing that these present Letters shall always exist and remain, and shall have their full and complete effect, and shall forever benefit the Sodalitas, thus brought by Us into the Primary Association, now and forever; and it shall be rightly judged and defined, and declared null and void from this moment, if anything contrary to these should occur, knowingly or unknowingly, by anyone with any authority. We also grant to the present and future members of the aforementioned Primary Association, if they so wish, permission to expiate all faults and penalties of life through all the indulgences, both plenary and partial, as we have enumer-

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ated above, except for the plenary indulgence to be obtained at the hour of death. Notwithstanding all Apostolic Constitutions and ordinances, and all other things, with special and individual mention and derogation worthy of consideration, which might be contrary. We wish that to these present Letters, or copies thereof, even printed ones, signed by the hand of a public notary and sealed with the seal of a person in ecclesiastical dignity or office, the same faith be given as would be given to these present if they were exhibited or shown. Given in Rome, at Saint Peter's, under the Fisherman's Ring, on the 30th day of July, 1921, in the seventh year of Our Pontificate. P. CARD. GASPARRI, Secretary of State.

[*Latin ed. p. 423*]

TO THE MOST EMINENT FATHER, CHARLES JOSEPH, BISHOP OF THE SACRED ROMAN CHURCH, CARDINAL SCHULTE, ARCHBISHOP OF COLONIAE AGRIPPINAE: CONCERNING THE FOUNDING OF A CATHOLIC INSTITUTE OF PHILOSOPHY IN COLONIAE AGRIPPINAE.

Beloved son, greetings and the apostolic blessing.

It is a most excellent plan, as we have learned from your official letters, that you have recently initiated, with the approval of the assembly of bishops of Fuldensi, the founding of a Catholic Institute in Coloniae Agrippinae, in order that philosophy may be more deeply cultivated. Indeed, there can be nothing more salutary or more beneficial than the founding of institutions of true science, that is, of philosophy, where not only solid and venerable doctrine is transmitted, but also all things pertaining to the highest reasons of truth and goodness are clearly explained, so that various questions that are perpetually arising may also be resolved.

Indeed, philosophy, which rightly holds the foremost place among Catholics, is that which is called scholastic; and which, having been cultivated by the holy Doctors, has been brought to the very pinnacle of perfection by the genius of Aquinas, so that it can scarcely rise higher. And to this end, the prescriptions of the Roman Pontiffs are entirely appropriate, which were ratified some time ago in the Code of Canon Law.

Indeed, not a few, as we know, even among the most learned men of Germaniae, have long held that the scholastic method, which is rightly called the philosophy of common sense, ought to be restored to its former dignity, so that it may finally, emerging from oblivion and contempt, not only form the minds of clerics, but also rightly guide and shape those who perform civil duties; that is to say, it is truly said that the study of scholasticism, since it is as it were an entrance to sacred theology, greatly contributes to the advancement of all human sciences, providing them with the principles by which they are governed, and supplying them with the foundations upon which they rest.

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Therefore, praising the prudence of this illustrious episcopate, we greatly desire that the Catholic Institute of Philosophy be established as soon as possible, and that it may revive the splendor of the old studies of the University, since two lights of doctrine once taught philosophy in Coloniae: Albertus Magnus and the great Aquinas.

For this purpose, we are ourselves readily allocating a certain sum of money; and we are confident that all good men in Germaniae, who have always been most eager to serve the Church, will do the same.

[*Latin ed. p. 424*]

424 Acta Apostolicae Sedis - Commentarium Officiale: May this work also, with your generous support, contribute to the benefit of both the Catholic Church and civil society. And may I, as a witness to the divine gifts and paternal benevolence of Our Lord, impart to you, our beloved son, to all the Bishops of Germany, and to all those who will in any way contribute to this endeavor, Our apostolic blessing with a full heart. Given in Rome, at Saint Peter's, on the twenty-ninth day of the month of June, in the year 1921, in the seventh year of Our Pontificate. BENEDICTUS PP. XV

To: ALEXANDER, S.R.E. Presbyter, Cardinal, Archbishop of VARSAVIENSEM; EDMUND, S.R.E. Presbyter, Bishop of POS: GNESNENSEM; ARCHIEPISCOPO DALBOR, ARCHIEPISCOPO ET POSNANIENSEM; and to the other Bishops of POLONIAE, concerning the matter of preserving the due order among the clergy in the present condition of Poland.

Beloved sons and venerable brothers, greetings and Our apostolic blessing.

— From the letters which our beloved son, Alexander Kakowski, Cardinal Archbishop of VARSAVIENSEM, has sent to Us, We have learned of your fraternal gathering at the tomb of Saint Stanislaus, the heavenly patron of Poland. And We pray that, with the grace of God, the plans you have jointly undertaken for the good of your flocks may be fruitful.

In those same letters, you mention some of the benefits which We have sought to confer upon the Polish people. But even greater and more illustrious testimonies are found in history, concerning that particular charity with which this Apostolic See has always regarded your nation; a charity which has become all the more profound, as the condition of Poland has worsened. For when the rulers of the states held greater power, and all silently allowed the Polish nation to be destroyed, the Apostolic See spoke out; when the most sacred rights of the Polish people were oppressed by arrogant domination, the Apostolic See openly defended them, both publicly and in secret; when, in the recent great war, there were those who claimed that Poland would not be adequately provided for, unless a certain degree

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of autonomy was granted, the Apostolic See spoke out.

[*Latin ed. p. 425*]

The Acts of Pope Benedict XV, page 425, state that this same Apostolic See has repeatedly affirmed and maintains that full and perfect freedom, that is, the independence which they call it, is necessary for Poloniae, and that every effort must be made so that it may restore its former moral dignity. Our love and concern for your nation, our beloved sons and venerable brothers, are defined by a single principle, namely, the dictates of justice. For when the interests of peoples clash among themselves, the Roman Pontiff, the common father of all, must favor neither side, but must remain impartial towards both. The Roman Pontiffs have always followed this course of action; and We have maintained it during the immense war, and even in recent times before the plebiscite of Upper Silesia, regardless of what malicious men may say or what those who certainly do not observe this Apostolic See may assert. However, if, due to the passions of men, a violation of rights occurs, as experience has shown to be a frequent occurrence, then, by the same sanctity of office, We are compelled to condemn and denounce such a violation, wherever it may arise. Therefore, with these feelings towards your homeland, We earnestly desire and hope that Polonia may quickly and successfully overcome the difficulties that are hindering its newly emerging political life, and that it may soon and easily achieve a peaceful settlement with its neighboring nations, which is clearly necessary for its own preservation and growth. To this end, our beloved sons and venerable brothers, and your clergy, can greatly contribute through their efforts and industry, provided that they confine themselves to the boundaries of their sacred ministry, which are certainly very broad. As for how clergy, especially Bishops, should conduct themselves in political matters, We declared in a letter which We addressed to the Bishops of Belgium on the tenth day of last February, and which contains the following passage: "While it is the proper duty and function of legitimate authority, which governs the state, to govern the republic, it is necessary for ecclesiastical officials always to remember the words of Paul to the Hebrews (5:1): 'For every high priest taken from among men is ordained for men in the things that appertain to God, that he may offer up gifts and sacrifices for sins.'" Thus, to each is assigned his own sphere of activity. Therefore, just as civil authority in Polonia must favor the clergy in the performance of their sacred duties, so that their office may not be hindered, and so that citizens may not have reasons to complain to God, so too must the Bishops and other clergy of Polonia, while possessing the free power to properly exercise their civil rights as citizens, also remember that they are ministers of

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Christ and dispensers of the mysteries of God (1 Corinthians, 4:1).

[*Latin ed. p. 426*]

426 Acta Apostolicae Sedis - The official commentaries should involve political matters, but the laws of the state and the policies of the civil government should, by word and example, encourage obedience, above all, striving to conform the minds of the citizens to religion and good morals. Moreover, they must vigilantly attend to the sects of the Protestants, and also to the schemes of the most turbulent men, who are also a scourge to this nation, and they must not allow these to spread further, but must disseminate sound doctrines, especially through daily publications and periodicals, by printing writings that are contrary to theirs. Finally, – and this is something that each member of the sacred Order should consider holy – they must strive to render the offices of mutual charity to their brothers in the priesthood, even though they may disagree with them on matters of state, or belong to a different rite or discipline. This distinction and cooperation between the two powers, which the doctrine of the Church commands, has always and will always be beneficial to both citizens and states. Confident of such a future for the Polish nation, and as a witness of the divine benefits and of Our most sincere benevolence, We impart to you, Our beloved sons and venerable brothers, and to your clergy and people, Our paternal and most loving apostolic blessing. Given at Rome, near Saint Peter's, on the sixteenth day of the month of July, in commemoration of the Most Holy Virgin Mary of Mount Carmel, in the year 1921, in the seventh year of Our pontificate. BENEDICT XV. To the Most Reverend Father Murray, General Secretary. ALPHONSUS M. DE LIGORIO, of the Congregation.

Beloved sons, greetings and Our apostolic blessing. – We are pleased to learn that, at the end of the fiftieth year, the Most Holy Father of this Congregation, Alphonsus Maria de Liguori, was solemnly enrolled among the Doctors of the Church; and we heartily congratulate you for the diligence you have shown in ensuring that his salutary writings are widely disseminated. Thus, from now on, since he was honored with this new distinction by Our predecessor, Pope Pius IX, may his heavenly wisdom more clearly and widely guide the entire Christian world, to the great benefit of scholars and souls. For it often happens that even the best books are forgotten over time; but now, more and more each day...

[*Latin ed. p. 427*]

The acts of Pope Benedict XV attest to the excellence and suitability of the Alfonsian doctrine; indeed, there is scarcely any error or fallacy of this age that the most steadfast Doctor has not already refuted, at least to a great extent. But it is especially to be praised that he strives to strengthen the principles of faith so that they may effectively lead to righteous action;

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and for this reason, he is not only an aid to scholars and doctors, but also to all the faithful, to whom he shows and paves the way to solid virtues and the summit of Christian perfection. Indeed, in other disciplines as well, the holy Alphonsus excelled, especially in matters of dogma, treating the most difficult and controversial questions with great clarity and erudition. And he sought to apply these sacred teachings, transmitted by the Lord Christ, not only by writing excellently about them, but rather by living them piously, so that he might present a wonderful example of pastoral teaching to all pastors. Moreover, knowing that the most pious man knew the love of God, and that it is the perennial source of all virtue, and the bond by which faith is joined to Christian life, therefore he placed the foundation of sanctity in divine love; and in order to stir up this charity, he was entirely devoted to representing to men the utmost amiability of Jesus Christ, especially by recalling his Passion and the institution of the Holy Eucharist: for by these things, above all, men are drawn with wondrous power to love. With this burning spirit of charity, he composed countless prayers, redolent of a seraphic fervor, which, translated into many languages, are on the lips of the faithful everywhere, so that it is truly said that millions of Catholics express their trust in God and the Virgin Mother in the very words of Alphonsus, pouring out their prayers and professing their love. Therefore, we gladly share this joy with you, which is not only domestic, but in some way belongs to the entire Church. And encouraging you to strive for the glory of God and the salvation of souls with renewed zeal, following the example of so great a Father; and this will certainly be the most beautiful fruit of this commemoration. As a pledge of heavenly blessings and a witness of our paternal benevolence, we impart to you, beloved son, and to all the members of the religious family under your diligent guidance, our most loving apostolic blessing in the Lord. Given in Rome, at St. Peter's, on the twentieth day of the month of July, in the seventh year of Our Pontificate. BENEDICT XV, 1921.

[*Latin ed. p. 428*]

428 Acta Apostolicae Sedis - Official Commentary IV TO HIS EMINENCE, FATHER PETER, CARDINAL OF THE HOLY ROMAN CHURCH, GASPARRI, SECRETARY OF STATE: CONCERNING THE MOST MISERABLE CONDITION OF THE RUSSIAN PEOPLE. THE SITUATION IN VANDES. Your Eminence, the news that has reached Us in these days concerning the condition of the Russian people are, as Your Eminence well knows, particularly grave. As far as one can judge from the concise brevity of these initial reports, We find Ourselves confronted with one of the most terrifying catastrophes in history. Vast numbers of human beings, afflicted by famine, struck down by typhus and the plague, stagger desperately across a parched land and pour into the more populous centers, where they hope to find bread, and from where they are driven back with force

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of arms. From the basin of the Volga, many millions of men invoke, before the most terrible of deaths, the aid of humanity. This cry of pain, Your Eminence, has deeply wounded Us. It is a people already sorely tried by the scourge of war; a people upon which shines the character of Christ, and which has always strongly desired to belong to the great Christian family. Although separated from Us by barriers that centuries have raised, it is all the closer to Our paternal heart, the greater its misfortune. Your Eminence, We feel the duty to do all that is possible within Our poverty to aid these distant children. But the extent of the devastation is such that all peoples must unite to provide assistance; and no effort, however great, will be too much in the face of the immensity of the disaster. Therefore, We invite you, Your Eminence, to put into effect the means that are at your disposal to bring to the attention of the Governments of the various Nations the necessity of a prompt and effective common action. Our appeal goes first of all to the Christian peoples, who know the infinite charity of the Divine Redeemer, who shed His blood to make us all brothers; and then to all other civilized peoples, because every man, worthy of the name, must feel the duty to come to the aid of where another man is dying. More than once, in these calamitous years that We are traversing, the Apostolic See has raised its voice among the Nations, mindful of the high and

[*Latin ed. p. 429*]

Acta Benedicti PP. XV 429: *Dulcis missio quae Deus illi commendavit.* Si nostra verba hodie iterum caritatem implorant, cum adhuc non est ultima resonantia nostrarum praeteritarum exhortationum et supplicationum, hoc solummodo quia nova flagitia aequant, et fortasse superant, praeterita mala. Interim omnes filii Ecclesiae Christi, per orbem dispersi, divites et pauperes, dum offerunt suam contributionem pro fratribus qui de fame moriuntur, elevent ad Deum confidenter suas preces, ut dignetur nos succurrere infinita sua Providentia, et accelerare finem tam horribilis flagelli. Hoc voto, domine Cardinale, grato vobis Apostolica Benedictionem impartimur. Ab Vaticano, die 5 Augusti 1921. BENEDICTUS PP. XV.

[*Latin ed. p. 430*]

430 Acta Apostolicae Sedis - Official Commentary ACTA 88. CONGREGATIONES SACRAE. CONSISTORIAL CONGREGATION I. DECREE CONCERNING THOSE TO BE PROPOSED FOR THE EPISCOPAL MINISTRY FOR DIOCESES OF THE LATIN RITE IN POLAND. 1. In order to propose to the Apostolic See priests suitable and worthy for the episcopal ministry, gatherings of Bishops of the Latin Rite in Poland shall take place at the time and in the manner specified below. 2. Every three years, at the beginning of Lent, starting from the year 1922, all the residential Bishops of Poland, according to the method set forth below,

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shall indicate to the senior Metropolitan, who will be the President of the gathering, the names of priests whom they consider worthy of the episcopal ministry. However, nothing prevents the proposal of priests from another diocese or province among these; it is, however, strictly required that the one who is proposed be personally known to the proposer through prolonged acquaintance. 3. Along with the name of the candidate, they shall also indicate, if possible, his age, his place of origin and his current residence, and the office in which he principally serves. 4. Before determining whom to propose, the Bishops may inquire from their own Auxiliary or Suffragan, if they have one, and from other more prudent ecclesiastical men, even from religious clergy, the necessary information, provided that the purpose of this inquiry remains entirely concealed. They shall not disclose to anyone, except perhaps in the gathering of Bishops, about which more will be said below, the information they receive, whether orally or in writing. 5. The names which the Bishops propose according to article 2, shall be disclosed to no one other than the President of the conference. 6. The President, having received the proposals of candidates from the Bishops, shall add his own: he shall prepare an index of all names in alphabetical order, and, concealing the...

[*Latin ed. p. 431*]

431. The Sacred Congregation Consistorialis shall transmit this instruction to each Archbishop, so that these may be able to conduct investigations concerning those whose qualities they do not personally know with certain knowledge.

7. Such investigations must be conducted with the utmost caution and secrecy, as stated above in paragraph 4. If they fear that the matter may become public, they should refrain from further inquiries.

8. On a day and at a place determined by the President, all the aforementioned Archbishops shall convene to select those who should be presented to the Holy See for the episcopal ministry. They shall convene without any formality, as if for a familiar gathering, so that any attention, especially from newspapers and periodicals, and all curiosity, may be avoided.

9. In the meeting, after invoking divine assistance, each one, the President excepted, shall swear an oath, according to the Holy Gospels, to maintain secrecy, so that the bond by which all are bound may be made more sacred; after this, the rules for making the election shall be read.

10. Then, one of the Archbishops present shall be elected as Secretary.

11. After these matters have been completed, the discussion shall begin, so that, among all those presented, the most worthy and suitable may be selected. This shall be done as if Christ were present and under His gaze, with all human considerations set aside, with prudence and charity, with the supreme good of the Church, divine glory, and the salvation of souls

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as the sole focus.

12. The candidates should be of mature, but not overly advanced, age; endowed with prudence in their actions, which should be proven by the exercise of their ministries; adorned with the soundest and not common doctrine, and joined with due devotion to the Apostolic See; and above all, distinguished by honesty of life and piety. Attention should also be paid to the candidates' capacity for the administration of temporal goods, their family circumstances, their character, and their health. In short, it must be seen whether they possess all those qualities that are required in an excellent pastor, so that they may be able to govern the people of God with fruitfulness and edification.

13. After the discussion has been completed, the vote shall be taken in this manner:

a) Those Archbishops whose opinion, for any reason, has judged those presented to be unsuitable during the discussion shall be removed from the list of those to be voted upon; a vote shall then be taken on the others, even the most excellent.

b) The individual candidates shall be presented for the vote in alphabetical order; the votes shall be secret.

c) All Archbishops, the President excepted, shall use three ballots, namely, a white one, a black one, and a third of a different color, for each candidate.

[*Latin ed. p. 432*]

Acts of the Apostolic See - Official Commentary: a) With the first color, to indicate approval; with the second, to indicate disapproval; with the third, to indicate abstention. b) Each Bishop, under the presidency of the presiding officer, shall deposit a ticket in the urn prepared for this purpose, whereby they will, before God and with a heavy conscience, assess the priest who is being considered for the position; the remaining two tickets shall be deposited in another urn, also secretly. c) Once the votes have been cast, the presiding officer, in the presence of the Secretary Bishop, shall extract the tickets deposited in the first urn, and, before all, shall count their color and record the result in writing. 14. Although the Supreme Pontiff reserves the right to seek advice from Bishops or Archbishops, in an appropriate manner, regarding the election of a person to fill a vacant diocese or archdiocese, in order to choose the person who seems most suitable for governing that diocese among those approved, it shall nevertheless be permissible for the Bishops present at the same meeting to indicate, at least in general terms, to which diocese, whether larger or smaller, peaceful and orderly, or even in need of much assistance, they consider the candidates to be more suitable, and for what reasons. 15. The Bishop, during the secret deliberations, shall carefully note what has been said by

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each voter regarding each candidate; the conclusion reached during the discussion; finally, the result of the first scrutiny, and, if a second scrutiny is held, the result of that as well, and what has been specifically stated in accordance with article 14. 16. The Bishops shall not leave the meeting until a report prepared by the Secretary Bishop regarding the names proposed, the qualities of the candidates, and the votes obtained, has been read by the Secretary Bishop and approved by all. 17. A copy of the minutes shall be signed by the presiding officer, the presiding Prelate, and the other Bishops present, and shall be sent to the Sacred Congregation with the utmost care. The minutes themselves shall be kept by the presiding officer in the most secret archives of the Holy Office, but shall be destroyed after one year, or even sooner, if there is a risk of the secret being violated. 18. Henceforth, it shall always be permissible for Bishops, whether on the occasion of the proposal of a candidate or the vacancy of a certain office, especially one of greater importance, to write letters to this Sacred Congregation or to the Supreme Lord himself, in which they may express their opinion regarding the qualities of persons, either absolutely or in relation to the provision of the aforementioned office. Given in Rome, from the offices of the Sacred Congregation Consistorialis, on the 20th of August, 1921. ffa C. L. CARD. DE L A I, Bishop of Sabina, Secretary. © S. Aloysius Sincero, Assistant.

[*Latin ed. p. 433*]

The Sacred Congregation Consistorial, 433 II, concerning the exchange of territories between the dioceses of Prague and Budweis, decrees the following:

The inhabitants of a certain village near Unterkamemen, belonging to the parish of Stankau, in the diocese of Budweis, earnestly petitioned the Ordinary of Prague, so that, due to the great distance of the aforementioned parish, they might be incorporated into the nearer parish church of Holleischen, in the archdiocese of Prague. Furthermore, after prayers were offered to the Apostolic See for this purpose by the Most Reverend Archbishop of Prague, His Holiness Pope Benedict XV, considering the favorable opinion of the Reverend Father Clement Micara, titular Archbishop of Apamea and Apostolic Nuncio to the Republic of Czechoslovakia, and having obtained the consent of the Reverend Ordinary of Budweis, and of others whose interests could be involved, it was judged fitting to grant this request.

Therefore, by the fullness of Apostolic authority, and by the force of the present Consistorial decree, it is decreed that the aforementioned village near Unterkamemen, and its inhabitants, be separated from the parish of Stankau in the diocese of Budweis, and be permanently united to the parish church of Holleischen, in the archdiocese of Prague.

To ensure the execution of the foregoing, His Holiness appointed the Reverend Father Clement Micara, Apostolic Nuncio, granting him all the powers necessary and appropriate for this purpose, including the power to

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delegate to any person in ecclesiastical office, as may be required to effect the matter in question; with the obligation of sending an authentic copy of the completed execution within six months.

Notwithstanding any contrary provisions.

Given at Rome, on this 28th day of July, 1921.

Q3 L. © C. CARD. de LAI, Secretary of the Sacred Congregation Consistorial, residing in Sabina.

R. P. Aloisius Sincero, Assistant.

[*Latin ed. p. 434*]

434 Acta Apostolicae Sedis - Official Commentary III

TIRASPOL-IASSI: DECREE OF DIVISION AND UNION.

Since certain parishes of the Diocese of Tiraspol, located in Bessarabia, have recently been included within the territory of the Kingdom of Romania, the Bishop of Tiraspol requested that these same parishes be separated from the territory of his diocese and incorporated into the neighboring Diocese of Iassi. This petition was considered by His Holiness Pope Benedict XV, who, in order to facilitate and expedite the care of souls, and also considering the very extensive territory of the Diocese of Tiraspol, after hearing the Most Reverend Father Francis Marmaggi, titular Archbishop of Adrianopolis and Apostolic Nuncio in Romania, as well as the Most Reverend Father Alexander Cisar, Bishop of Iassi, deemed it fitting to grant the request. Therefore, by the fullness of Apostolic authority and by supplementing what may be necessary, and with the consent of those whose interests are involved, the following decree is issued by this Sacred Congregation: the following parishes, namely Kischineff, Bender, Bieley, Chotin, and Krassna, which until now belonged to the Diocese of Tiraspol, are hereby separated from that diocese and permanently and with all rights and obligations pertaining to that diocese, are united to the Diocese of Iassi. For the execution of all of the above, His Holiness has appointed the aforementioned Most Reverend Father Francis Marmaggi, Apostolic Nuncio, to whom he grants all the powers necessary and appropriate for this purpose, including the power to delegate to any person holding an ecclesiastical office, in order to achieve the purpose in question; and he is charged with sending to this Sacred Congregation, within six months, an authentic copy of the completed execution. All contrary decrees are hereby set aside. Given at Rome, from the offices of this Sacred Congregation, on the 2nd day of August, 1921.

C. CARD. DE LAI, Consistorial Secretary, Bishop of Sabina.

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h. S. Aloisius Sincero, Assistant.

[*Latin ed. p. 435*]

Most Holy Father, Benedict XV, following the decrees of the Sacred Congregation of Councils, has provided pastors for the following churches, as follows:

July 13, 1921. — To the Cathedral Church of Piata, in the Republic of Strasbourg, he appointed the Reverend Father Francis Albert, formerly the titular Bishop of Siunia.

July 29. — To the titular episcopal Church of Himeria, he appointed the Reverend Father Alfred Baudrillard, Rector of the Catholic Institute of Paris and Urban Antistite.

July 29. — To the titular episcopal Church of Andrapa, he appointed the Reverend Father Matthew Colón Canals, whom he constituted as an Auxiliary to the Most Reverend and Right Reverend Father Henry, Prefect of the Sacred Congregation, Cardinal Almaraz and Santos, Archbishop of Toledo.

July 30. — To the Metropolitan Church of Guatemala, he appointed the Reverend Father Aloysius Muñoz, a priest of the Society of Jesus.

August 4. — To the titular episcopal Church of Huaren, he appointed the Reverend Father Augustine De Jesus and Souza, a canon and theologian of the Cathedral of Braga, whom he designated as a Coadjutor with the right of succession to the Most Reverend Bishop of Lamego.

August 5. — To the Cathedral Church of Puerto Rico, he appointed the Reverend Father George Joseph Garuana, a priest from the diocese of Brooklyn.

August 10. — To the Metropolitan Church of Baltimore, he appointed the Reverend Father Michael Joseph Curley, formerly the Bishop of Saint Augustine.

August 10. — To the Cathedral Church of Toledo in the United States, he appointed the Reverend Mr. Stritch, Chancellor of the diocesan Curia of Nashville.

August 12. — To the titular episcopal Church of Platea, he appointed the Reverend Father Ferdinand Périer, S.J., as a Coadjutor with the right of succession to the Archbishop of Calcutta.

August 19. — To the Cathedral Church of Meißen, recently restored, he appointed the Reverend Father Christian Schreiber, Rector of the diocesan Seminary of Fulda.

August 19. — To the titular episcopal Church of Camuliana, he appointed the Reverend Father John Dunn, whom he designated as an Auxiliary to the Most Reverend Father Patrick Joseph Hayes, Archbishop of New York.

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August 20. — To the titular episcopal Church of Coire, he appointed the Reverend Father Michael Crane, whom he designated as an Auxiliary to the Most Reverend and Right Reverend Father Dionysius, Prefect of the Sacred Congregation, Priest Cardinal Dougherty, Archbishop of Philadelphia.

[*Latin ed. p. 436*]

436 Acta Apostolicae Sedis - Official Commentary

SACRED CONGREGATION FOR THE DISCIPLINE OF THE SACRAMENTS

DIOCESE L.

REGULARITY: IRREGULARITY DUE TO DEFECT OF THE BODY

July 1, 1918

The Ordinary of L., having sent to this Sacred Congregation, by letters dated October 22, 1917, a petition requesting a dispensation from the impediment of irregularity due to a defect of the body for a cleric of his diocese, A. F., who, due to a wound received in the war, had been forced to undergo the amputation of his entire right hand, including the arteries (de la main droite et du poignet droit), in order that he might be advanced to the sacred Orders.

The Reverend Ordinary began his urgent plea with these reasons:

1. This concerns a young man of outstanding talents and character, who, even before the terrible fire of war broke out, had already begun to devote himself to ecclesiastical studies, and had shown clear signs of a vocation to the priesthood.

2. Called to arms, throughout the time he was compelled to serve, he gave no cause for reproach, but on the contrary, proved worthy of praise. The wound he received in the war greatly grieved him, because he feared that it would be an obstacle to the fulfillment of his desired reception into the priesthood.

3. There is a great need of priests in the diocese, because many have died in the war.

4. Now that the science, which they call orthopedics, has made great progress, and has devised many inventions, it is possible that this young man, through acquired skill, will be able to use his hand in such a way that he will be perfectly able to perform all that which pertains to the exercise of the sacred ministry.

However, since the matter concerned the granting of a dispensation from an irregularity of considerable importance, and the advancement to the

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sacred Orders, for which no similar example seemed to exist in previous times, as reported by the Sacred Congregations which, before the Pontifical Constitution *Sapienti consilio*, judged such dispensations, the case presented was carefully discussed in a plenary session of this Sacred Congregation by the Most Eminent and Reverend Cardinals, in November of 1917. And, in the first place, it seemed opportune to the Supreme Sacred Office...

[*Latin ed. p. 437*]

The Holy Congregation for the Discipline of the Sacraments inquired, "Whether, in the aforementioned case, due to the externally fabricated hand, there might be some impediment that would prevent dispensation regarding the administration of the Sacrament of Orders." And to this question, in the General Congregation of the Most Reverend and Most Reverend Fathers, Inquisitors General, on the fourth day of January, 1918, the response was: negative. Consequently, this Holy Congregation for the Sacraments wrote the following to the aforementioned Reverend Ordinary, L.: "The petitioner presented a hand fabricated with skillful art, and a medical testimony was presented, which stated what the same person is able to accomplish with that artificial hand. Furthermore, it should be subjected to the most careful experiments before the master of ceremonies, and, with a written attestation thereof, this Holy Congregation should be approached again." Therefore, the aforementioned Reverend Ordinary took care to send documents to this Holy Congregation, from which it became clear that the petitioner's hand, fabricated with exquisite skill, was suitable for him, and that, as the same physician stated, with its aid, he was able to properly perform the rites required for the celebration of Mass. Furthermore, the master of ceremonies, having conducted the experiment with great skill, clearly declared that the petitioner, using the hand fabricated with art, was able to firmly grasp, hold, and carry the chalice, the paten, and the ostensorium. Moreover, he added that the same person, using that artificial hand and the left hand, was able to wipe the chalice, open the ostensorium, and close it, and to place the Sacred Host within it. Furthermore, the aforementioned master of ceremonies did not omit to state that the same petitioner would perform all of these things expeditely, and with increasing security with daily use. All of these matters, having been related to the Most Holy Lord, Our Pope Benedict XV, in an audience held by the Eminent Cardinal Prefect on July 1st of the year 1918, His Holiness, having considered all things, deigned to request the Reverend Ordinary, L., that, according to his prudent judgment and conscience, the grace be granted to effect that which was requested in prayer, provided that there be no danger of irreverence towards the Most Holy Eucharist, and that the admiration of the faithful be maintained, and that other things that must be observed according to law be observed.

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A. Capotosti, Bishop of Thermen, Secretary.

[*Latin ed. p. 438*]

438 Acta Apostolicae Sedis - Commentarium Officiale

SACRA CONGREGATIO CONCILII DIOECESIS V.

MISSAE CONVENTUALIS

Die 13 martii 1920 et 12 martii 1921

SPECIES FACTI.

- Humiliter oblato libro, Capitulum cathedralis dioecesis V. praesentavit huic S. C. quod, octo festis anni solemnioribus, quibus Episcopus pontificaliter vel eius loco una ex Dignitatibus capitularibus solemniter celebrat in cathedrali ecclesia, canonicus hebdomadarius ad tramitem iuris (can. 397, n. 1 Cod. iur. can.) Missam conventualem pro benefactoribus privatim celebrare et applicare solet. De quo nulla controversia.

Verum quaestio agitatur Dignitates inter et canonicos eiusdem Capituli quoad alios quatuor dies festos minus solemnes, synodales nuncupati, idest Circumcisionis et Ascensionis Domini, SSmi Corporis Christi et beatorum App. Petri et Pauli, quibus cantus Missae conventualis, cui pontificaliter assistit Episcopus, Dignitatibus ex inolita consuetudine competit. Hisce enim quatuor festis, Dignitates celebrantes canonico hebdomadario, canonici hebdomadariiautem Dignitati celebranti onus Missae conventualis pro benefactoribus applicandae incumbere contendunt.

Quum de hac re statuta prorsus silent, nec consuetudo quae imponit hoc onus hebdomadario adhuc legitime praescripta videatur, quippe quae vix a vigesimo anno observetur - ex interpretatione nimirum resolutionis H. S. C. in Sebenicen. datae die 4 martii 1876, quae interpretatio nuper in dubium revocatur a compluribus - capitulares, assentiente ultro Ordinario, sequens dubium huic S. C. solvendum proponunt, nempe: « se nelle feste in cui alle Dignità ex consuetudine « spetti cantare la Messa, spetti pure alle medesime l'onere dell'applicale zione, ovvero quest ' onere, come nelle otto feste solenniori, spetti « sempre all'ebdomadario ».

- Principium generale est in iure, Missam conventualem in Capitulis quotidie cani debere eamque benefactoribus in genere esse applicandam. Quod principium etiam in dato Codice confirmatur can. 413 § 2.

Pronumautem est, eum applicare Missam.

SYNOPSIS DISCEPTATIONIS.

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[*Latin ed. p. 439*]

The Holy Congregation of the Council must decide who is obligated to celebrate; for, according to the law, the Mass must be offered for the benefit of those who provide for it, and this Mass is said and is conventual. This right was established by Honorius III in chapter 11 concerning the celebration of Masses, etc., X., (III, 41), and subsequently more precisely determined by the ancient law, and confirmed by Benedict XIV in his constitution "Cum semper oblatas" on August 19, 1744. The most recent law in the Code agrees with this in canon 417 § 1, where it is stated: "A conventual Mass must be offered for the benefit of those who provide for it, in general." From these words, it is clear that the conventual Mass, and not another Mass, must be offered for the benefit of those who provide for it. Indeed, it is established by both the ancient and the new law, and confirmed by practice, that when a Bishop celebrates pontifically on more solemn days in the choir, or with the assistance of canons, he himself is not obligated to offer the Mass for the benefit of those who provide for it, and indeed, he cannot; but on days that are generally festive, he is obligated to offer the Mass for the people. However, if one considers carefully, this is not an exception to the general rule that the one celebrating a conventual Mass must offer it for the benefit of those who provide for it. For that pontifical Mass is not, in the strict sense, a conventual Mass, but only takes the place of one. And in truth, it has always been provided for by both the ancient and the new law that the Bishop's pontifical Mass should not be given the character of a conventual Mass. Indeed, the ancient law expressly stated that the conventual Mass must be celebrated on those days by the hebdomadarius or another chapter official, to whom the obligation of the conventual Mass belongs (Sacred Congregation, in Avezzano, November 12, 1831, ad 20, n. 2682). The same is implied in the Code in canon 413 § 3, when it says: "It is permissible for the hebdomadarius to celebrate a conventual Mass without singing, when, in the church, with pontifical rites, the Bishop or another in the Bishop's place celebrates." From this canon, we also learn that it is not a conventual Mass that is celebrated by a Dignitary or another in the Bishop's place, or during a vacancy of the see. It does indeed take the place of a conventual Mass, but it is not properly a conventual Mass. A conventual Mass, on the other hand, is that which the hebdomadarius celebrates and offers on those days. From these things, it must be concluded that De Herdt did not hit the mark when, in explaining the reason why the Bishop is not obligated to offer for the benefit of those who provide for it on that day, he asserted that it happens because the Bishop "must offer for his flock on festive days." This reason is not derived from the decree of the Sacred Congregation cited above, in Avezzano, November 12, 1831, ad 20°, as mentioned above. This reason is not given by the Holy Congregation in its response, but is suggested by the orator. The petition was presented in this way: "Since the Bishop must offer for his flock on festive days, the question is asked: Whether, when

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the Bishop celebrates pontifically on these days, the canons must sing the conventual Mass for the benefit of those who provide for it, and when."

[*Latin ed. p. 440*]

440 Acta Apostolicae Sedis - Official Commentary. The Holy Congregation, after careful consideration of the proposed question, responds, not directly or indirectly approving of the following: "He who is obligated weekly, or to whom the 'burden of the conventual Mass' belongs, shall celebrate or have read aloud the Mass before or after the pontifical Mass." And all of this is supported by the prescription of the aforementioned constitution of Benedict XIV, "Cumsemper oblatas," § 17, where the Pontiff states: "Some would have wished to be excused from celebrating 'a Mass for the benefit of the Church in general,' because they find themselves burdened by some other obligation concerning Masses, either by reason of their own canonical duties or another ecclesiastical benefice, or because, besides the duties of a canon... they exercise pastoral care in the same or another parish church...." But provision has been made for these also, by ordering each of the aforementioned to apply the conventual Mass which they celebrate for the benefit of the Church in general; and for those for whom they are specifically obligated to apply a Mass, they shall substitute another, who, in their place, shall celebrate such a Mass and apply it. This doctrine is embraced in clear terms by the Code of Canon Law, can. 419 § 2: "If anyone is burdened on the same day with the obligation of both Masses, namely, for the people and the conventual Mass, let him himself celebrate this Mass and apply it, either by himself or through another, or on the following day." Therefore, it is evident that the Bishop is not excused on those days on which he celebrates pontifically from applying the Mass for the benefit of the Church, not because he is already obligated to apply it for the people (as it should be said that the parish priest is also excused, who, on the contrary, is obligated, as we expressly heard from Benedict XIV), but because that Mass is not a conventual Mass. And rightly, that Mass does not have the force of law as a conventual Mass. For a conventual Mass is that which canons or capitulars are to chant and apply, and to which other capitulars ought to attend, unless they are excused by law; for it is a Mass which is part of the divine office, to which the Chapter is bound to attend in the choir. Furthermore, the Bishop, if we consider the Chapter in the extent to which it is subject to this obligation, is not part of the Chapter. In truth, it cannot be said that the Bishop is part of the Chapter, no, nor even the head of the Chapter, if the Chapter is considered as a distinct body having its own rights and duties; then the Bishop is "distinct and separate from the Chapter," as Scarfantonius teaches, lib. IV, tit. 1, n. 29. The Bishop can only be said to be the head of the Chapter and to be part of its body, in so far as the Chapter is considered as the senate of the Church and the council born of the Bishop, and the principal part of the diocesan

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clergy. But in this sense, the Chapter does not say that it is subject to choral obligations or rights. Since, therefore, the Bishop is not part of the Chapter in the sense explained above, he cannot fulfill the choral obligation, such as the conventual Mass.

[*Latin ed. p. 441*]

5. The Congregation of Councils: For this very reason, that Mass which is celebrated by another, even a canon, on those days on which the Bishop ought to celebrate, is not a conventual Mass. For the substitute, in such a case, acts in the name of the Bishop, and fulfills and represents him. But when it is a question of a Mass celebrated by a canon in the choir, with the assistance of the same choir, then indeed it is a truly conventual Mass. Therefore, those are the Masses which are to be celebrated in the Chapter of the Diocese of V., by the dignitaries, in the presence of the Bishop, on those four days which are enumerated in the supplication. If, therefore, they are conventual Masses, they must be applied by those who celebrate them, according to the ordinary principle of law. And, in fact, if one considers the ancient custom of the Chapter of the Diocese of V., the dignitaries who celebrated those Masses also applied them. Only about twenty years ago, due to an erroneous interpretation of the response which this Holy Congregation gave in Sebenichen, on March 4, 1876, this obligation was imposed weekly. In that case, to the first question: "Whether, when the Bishop is impeded, or the see is vacant, the dignitary of the Chapter, who succeeds the deceased Prefect by right of devolution in the celebration of Mass on the Bishop's days, is bound to apply it for the benefit of benefactors in general in that case," the response of the Holy Congregation was: "To the first, negatively; and the Mass for the benefactors is to be applied on that day by the hebdomadarius." But this response refers to the days of the Bishop, on which, as stated above, the substitute takes the place of the Bishop, and therefore does not celebrate a conventual Mass in the strict sense of the term. Therefore, the dignitaries wrongly extended this response to truly conventual Masses, which are to be celebrated not on the days of the Bishop, but on the days, so to speak, of the dignitaries. It is indeed known that the Holy Congregation gave a different response in Theanen, on June 17, 1899, and on April 27, 1901, which might seem to be contrary to what was said. For to the question: "Whether on the more solemn days (it is a question of the days of the Bishop, as is clear from the very nature of the case) on which the Dean sings Mass, it is incumbent on him to apply the Mass for the benefit of benefactors in general; or whether this is incumbent on the canonical hebdomadarius in that case," the response was: "Affirmatively to the first part; negatively to the second." But it should be noted that in that case, a custom of three hundred years was cited, confirming this practice; therefore, this response was given on the basis of a contrary and legitimate custom. - In order that, in a case of the opposite kind, a different response

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might be given than that which is prescribed by common law, it must also be the case that there is a legitimately established custom contrary to common law. This is recorded in the ACTA, vol. XIII, n. 11. - 1-9-921. 31

[*Latin ed. p. 442*]

442 Acta Apostolicae Sedis - In the official commentary on the matter presented, the specific case is excluded; therefore, only the following remains: to respond to the proposed question, according to the norms of common law, with: "Affirmatively to the first part, Negatively to the second." Therefore, etc. RESOLUTION. - On March 13, 1920, during the plenary sessions of the Sacred Congregation of the Council held in the Apostolic Palace at the Vatican, the Most Reverend and Right Reverend Fathers judged it necessary to respond: "Further investigation is needed regarding any existing custom, if any, concerning the observance of the feast day in the specific case." After these investigations were completed, and since nothing new emerged, the case was resumed on March 12, 1921, regarding the proposed question: Whether, in the specific case, it is customary for the conventual Mass to be sung on feast days, and whether, in such a case, the obligation to apply this custom to the benefactors falls upon the celebrant or the hebdomadary canon. The same Most Reverend Fathers responded: Affirmatively to the first part, negatively to the second. This resolution of the Most Reverend Fathers was reported to His Most Holy Lord Benedict, Our Holy Father, Pope XV, by the undersigned Secretary of the same Sacred Congregation, and on the following day, March 13, 1921, His Holiness deigned to approve and confirm it. I. MORI, Secretary. SACRED CONGREGATION FOR THE PROPAGATION OF THE FAITH DECREE: THE NAME OF THE APOSTOLIC VICARIATE OF FU-KOW IS CHANGED. At the general meetings of this Sacred Congregation for the Propagation of the Faith, held on April 25, 1920, when a new vicariate of Kan-kow was established in the civil province of Kiang-si in China, the names of other missions in the same province were also changed, as the Most Reverend Fathers ordered that these vicariates be named after their episcopal residences. Thus, the apostolic vicariate of eastern Kiang-si was named Fu-kow, after San Donato di Ninea. However, when the Reverend Father Aloysius Clerc-Renaud requested that the same mission be called after the city of Yii-kiang, to which the residence has now been moved, rather than after the city of Fu-kow, because the name Fu-kow is very similar to the name of another city...

[*Latin ed. p. 443*]

The Holy Congregation of the Propagation of the Faith, numbering 443 souls, having considered the matter, and the Most Reverend Fathers having deliberated in the general assembly on May 23rd, it was deemed more fitting to designate the Vicariate of Fu-kow, rather than the city of Yii-Mang,

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to the Reverend Father Aloysius Clerc - Renaud. The opinion of the Most Reverend Fathers, having been reported to His Holiness Pope Benedict XV, Most Holy Father, by the Secretary of this Holy Congregation on the same day, May 23rd, was approved by His Holiness, and the present decree concerning this matter was ordered to be issued. Given at Rome, from the offices of the Sacred Congregation of the Propagation of the Faith, on June 1st, 1921. G. M. CARD. VAN ROSSUM, Prefect. L. S. C. Laurenti, Secretary.

SACRED CONGREGATION FOR RITES.

CONCERNING THE CONFIRMATION OF THE CULT GIVEN TO THE SERVANT OF GOD, BROTHER ANGELO DE SCARPETTIS, OF THE ORDER OF THE EREMITES OF SAINT AUGUSTINE, NOW BLESSED.

In the city of Burgos of the Holy Sepulchre, at the foot of the Apennine Alps, in the province of Umbria, Brother Angelo was born, a member of the noble family of Scarpettis, concerning whose cult the present legal proceedings are initiated. His life and deeds were described by the Venerable Father John of Saint William in a commentary, which, however, having been lost through the ravages of time, could not be found even by Aloysius Torellio, the most learned writer of the Augustinian Order. Nevertheless, from the testimonies of witnesses, from authentic documents, and from the procedural acts presented in this cause, it has been established that Angelo de Scarpettis, still a young man, having scorned worldly possessions and delights, followed the divine inspiration, and around the year 1254, gave his name to the renowned Augustinian Order, and was a companion and contemporary of Saint Nicholas of Tolentino. Sent to England with companions of equal virtue, learning, and profession, he devoted his apostolic work there, and founded new...

[*Latin ed. p. 444*]

444 Acta Apostolicae Sedis - An official commentary for monasteries. He expanded the order. Her virginal purity shone with a singular splendor, which, like a precious stone, she preserved intact and flourishing until death, adorned with the flowers of virtues, especially innocence, humility, and patience. It is said that God confirmed this holy life, with its constant reputation and the testimony of all, especially in Umbria, through various and wondrous miracles, even during her life, with the help of the holy man himself. Among these miracles, two are recounted: First, there is the case of a man who, having struck a certain Angel, and having prostrated himself with his body, did not regain the use of his limbs until, repenting of his wrongdoing, he asked for forgiveness and received it fully from the Servant of God, together with a sudden and miraculous healing. The second case involves a man who, having been brought to judgment for a false crime and, although innocent, condemned to death, encountered the

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Angel and earnestly called upon his help and prayers. That unfortunate man was hanged, and as his body was being carried to the tomb, while the Servant of God was praying, he was immediately found alive and healed, and when asked what had happened, he replied that, during the entire time he was hanging, a man of God had supported him in his arms, so that he had suffered no harm whatsoever. To the astonishment of all, that innocent man was released, free, healed, and unharmed. The Angel, renowned for his singular teaching, piety, and miracles, died in his homeland around the year 1306; and his body was honorably buried in the church of his monastery. The city of Sansepolcro immediately followed Angel with signs of worship and piety after his death; especially on the feast of All Saints, on which day the relics of the Servant of God were publicly exposed for the veneration of the faithful, illuminated with burning candles. Regarding the question of the immemorial cult of the same Servant of God, or the case exempt from the decrees of Urban, considering the particular circumstances, since the Ordinary Process concerning the same cult, together with the subsequent opinion of the Bishop of Sansepolcro or Ordinary, had already been completed in 1910, and from the duly conducted investigation, no writings of Father Angel were found, Our Most Holy Pope Benedict XV, through a decree of the Congregation of Sacred Rites on March 20, 1918, permitted the matter to be considered and discussed, observing the legal order and practice in force before the most recent decrees of November 11, 1912, and January 31, 1913. With these preliminaries, the arguments preceding, accompanying, and following the Urbanian period were presented by the actors as valid evidence to prove the exceptional case. Of these, there are two very ancient parchment documents preserved in the archive of the monastery of Saint Augustine, in the city of Sansepolcro, and duly recognized by expert paleographers, the first dating from the year 1310 and the second from the year 1311, from which it is clear that in Sansepolcro,

[*Latin ed. p. 445*]

The Holy Congregation of Rites, number 445, was a pious sodality named after the Blessed Virgin Mary and the glorious Saint Anthony, and it was endowed with privileges of the Augustinian Order "to promote devotion to the happy memory of the Venerable Brother Anthony of our Order, whom God adorned with many miracles." Therefore, it is not surprising that in the year 1555, the Augustinian members, moving from the houses of Saint Clare to a new monastery of Saint Augustine, took with them the relics of the Servant of God, which Anthony of Perugia, the Apostolic Visitor of the Biturgensis diocese, had placed under the main altar of the church in the year 1583, as evidenced by a written testimony: "that they are those of a certain Blessed Anthony, formerly a brother of the same Order, and who, as is said, died more than two hundred years ago, and always resided in the city of Sansepolcro, and was

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considered and esteemed as Blessed, and for whom prayers are offered, and who is venerated to this day." Furthermore, it appeared that the body itself was still intact, and still dressed in the same habit in which it had been buried, as the brothers themselves said; which preservation of both the body and the habit is indeed marvelous and worthy of veneration. From that time onward, the public and ecclesiastical cult of the Servant of God and his body has been constant and persevering, as evidenced by a series of documents from the year 1590 to the year 1890, through ancient traditions, and through pastoral and judicial visits of the Church, and through images of the Brother Anthony, adorned with piety or virtues, with the title "Blessed," and with a laurel wreath or rays and a white lily, symbols of blessedness and purity. Finally, on the front of the wooden urn that holds the body of the Blessed Anthony, it reads "ANNO MDCXX IX. R.," and on the back of the larger altar, fixed on a stone, is the inscription: "Here lies the body of the Blessed Anthony of Scarpetta from Borgo San Sepolcro, of the Order of Friars of Saint Augustine, a man of conspicuous sanctity, distinguished by piety, and from whom miracles were granted." After examining all the documents and proceedings, the Most Reverend Bishop of Biturgensis presented his opinion regarding the immemorial cult, or "case exception." These documents, along with the opinion, were sent to Rome to the Congregation of Sacred Rites, and, with the insistence of the Most Reverend Father Eustasio Esteban, the General Postulator of the Order of Eremites of Saint Augustine, the following Cardinal Anthony Vico, Bishop of Portuen and Santa Rufina, the Promoter of this Cause, in a meeting of the Ordinary of the same Sacred Congregation, convened on the day indicated at the Vatican, proposed the following question for discussion: Whether the opinion given by the Most Reverend and Right Reverend Bishop of Biturgensis regarding the cult exhibited from time immemorial to the aforementioned Servant of God, or regarding the case exception from the decrees of Pope Urban VIII, should be confirmed in this case and for the purpose in question? And the Eminent and Reverend Fathers presiding over the sacred rites, after the report of the Cardinal Promoter, heard the Reverend Father Angelo Mariani, the General Promoter of the Faith.

[*Latin ed. p. 446*]

464 Acta Apostolicae Sedis - The Official Commentary, after careful consideration by all, deemed it necessary to write: Affirmative, or to confirm the judgment. On July 19, 1921. These matters, having been presented to His Most Holy Lord Benedict, Pope XV, through the undersigned Cardinal, Prefect of the Sacred Congregation for the Religious, His Holiness approved and confirmed the rescript of the same Sacred Congregation, on the 27th of the same month and year. †B. CARD. VICO, Prefect of Portuensis and S. Rufinae, S. B. G. L. SB S. Alexander Verde, Secretary. II ELNEN. *

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CONCERNING THE BEATIFICATION AND CANONIZATION OF THE SERVE OF GOD, ANNA MARIA ANTIGO, A NOVICE PROFESSED OF THE ORDER OF SAINT CLARE. Anna Maria Antigo, a faithful disciple of Jesus Christ, and an ornament and honor to the Clarissan family, is presented. The cause for her beatification and canonization, long desired, which had recently been brought before judgment due to various and external difficulties, is supported by historical documents, testimonies of witnesses, and, above all, by legitimate tradition. This handmaid of God, born in the city of Perpignan by pious and honorable parents, of Spanish origin, Michael Antigo and Marcella Puyois, came into the world in the year 1602, and on January 19th, in the parish church of Saint James, she was regenerated by holy baptism, and the names Honorata, Catherine, and Margaret were given to her. She spent her childhood and adolescence at home, where, together with her brothers and sisters, she received Christian instruction. At the age of nineteen, guided by heavenly light, and with the consent of her parents, on March 24, 1621, she entered the monastery of Santa Clara, called "de la Passió," located in the same city, and, after a commendable period of novitiate and having embraced the religious life, she received the name Anna Maria, and solemnly professed her vows on July 26, 1622. Following with devoted mind and study the precepts and example of the Seraphic Father Francis and the holy Mother Clare, she never ceased to cultivate humility, charity, mortification, and other virtues proper to the religious institute. Designated to guide the novices, she held the office of mistress and performed it properly, and with divine zeal, she sought to lead her students in holiness and justice before God.

[*Latin ed. p. 447*]

The Holy Congregation of Rites, especially through the most holy Sacrament of the Eucharist, through the commemoration of the Lord's Passion, and through filial piety towards the most blessed Virgin Mary and her holy mother Anne, whose glorious names she had chosen as her model and inspiration in the Order of Saint Clare. By the unanimous consent of the nuns, on March 22nd of the year 1639, she was elected as Vicarious, and on March 30th, 1645, as Abbess of Alet, and was confirmed by the Superiors. In both offices, she had to endure much suffering, both due to internal discord, stirred up by evil spirits, and due to public disturbances which arose from the year 1640 to the year 1675, after the territory of the place, called Boussilon, had been transferred from Spanish domination to French rule. Indeed, twenty religious women, faithfully observing the rules of the Institute, among whom was the servant of God, a guardian of perfect discipline, were separated from the others and, by the governor Sagarra, expelled from the monastery of Saint Clare, their peaceful refuge, and subjected to exile, being sent to Catalonia. There, however, these exiles, residing in the monastery of Saint Elizabeth in Barcelona, with the help of God, under the

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prudent guidance and holy conversation of Anna Maria, remained steadfast in their purpose of religious life. In the happy arrival of King Louis XIV and his brother, the Duke of Anjou, in the territory of Boussilon, when Queen Anne of Austria, the mother of the King, with her noble and courtly retinue, visited the monastery and the religious women of Saint Clare, and received from them fitting and solemn honors and expressions of devoted sentiment, and on a favorable occasion, Abbess Stephanie d'Arcos earnestly requested the pious Queen to grant her favor, which she readily obtained, with the liberation of the nuns from exile and their return to the monastery of Perpignan-Elne. Thus, Sister Anna Maria, together with seventy-seven companions – for two had died in exile – was able to return to her former and beloved monastery of Perpignan-Elne; and, making daily progress in the arduous but sweet path of penance and holiness, on April 2nd, she was again elected and approved as Abbess. During this period, the internal life of the monastery was subjected to considerable adversities, until the Supreme Pontiff Alexander VII, through a Brief dated July 17th, 1665, and also confirmed on December 24th, 1666, subjected the monastery to the jurisdiction of the Ordinary of Perpignan-Elne for all matters. However, Pope Clement IX, through two Briefs dated January 5th, 1668, and April 5th, 1669, not only confirmed what Alexander VII had decreed, but also ordered the restitution of all goods which had been taken from the monastery by unjust holders. With the favor of civil authority, and with minds and affairs thus pacified, the monastery flourished again, and so did the regular discipline. Then, the servant of God, inflamed with holy fervor and zeal, devoted herself to the practice of virtues.

[*Latin ed. p. 448*]

448 Acta Apostolicae Sedis - The official commentary indicates that her progress was all the more evident as she approached the end of her life. In September of the year 1676, she was, as it is said, refreshed by a celestial apparition of the Blessed Virgin Mary and her mother, Saint Anne, and was forewarned of her imminent death. After three or four days, she was struck by a serious illness, received the sacraments of the Church, and the most pious Mother Abbess, surrounded by her beloved and grieving daughters, fell asleep in the Lord on the 28th of that same month, at the age of seventy-four years. After the funeral was solemnly performed, her body was placed in a designated niche in the chapter chapel, which, at a later time, was repeatedly examined by the ordinary ecclesiastical authority at the request of the nuns, and was always found to be intact and fragrant. The same body, on June 20, 1849, was transferred to the monastery in the locality of l'Impasse des Amandiers, and after about thirty years, namely on April 2, 1878, its integrity was ascertained and described. On May 11 of the following year, together with the relocation of the Poor Clares to the new monastery in the locality of Vernet, the body of Anna Maria was

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raised, first placed in the inner courtyard, which served as a chapel for the nuns, and four years later, on May 25, 1882, it was transferred to the outer chapel, where it was placed in a noble sarcophagus donated by a pious and beneficent lady. In the meantime, the fame of her sanctity, virtues, and miracles, in general, as a Servant of God, grew more and more each day, both during her life and after her death. The informative process concerning her was completed in the ecclesiastical court of Elne and sent to Rome to the Congregation of Sacred Rites. Subsequently, in accordance with legal procedure, at the urgent request of Father Anthony Mary Santarelli, of the Order of the Friars Minor, and promoter of this cause, and with the fervent wishes of the Order of the nuns of Santa Clara also in mind, and with the attention of certain letters from several Eminences, Cardinals, Archbishops, and Bishops, as well as Chapters of Cathedrals, Orders, and regular Congregations, notably the Abbess and the nuns of the monastery of the Passion in the city of Perpignan, and other men and women of high nobility and dignity, Eminence and Reverend Cardinal Januarius Granito Pignatelli di Belmonte, Bishop of Alba, and his Eminence, as Promoter or Relator of this cause, in a meeting of the Congregation of Sacred Rites, convened on a date indicated for the Vatican, proposed the following question for discussion: Should a Commission be appointed for the introduction of the cause in the case and for the purpose in question? And the Eminences and Reverend Fathers presiding over the sacred rites, after the report of his Eminence, and after hearing the voice and written opinion of Reverend Father Angelo Mariani, General Promoter of the Faith, after all had been discussed and carefully considered, decided to write: That a Commission should be appointed for the introduction of the cause, if it pleases the Most Holy. July 19, 1921.

[*Latin ed. p. 449*]

449 The Holy Congregation of Rites, after deliberation, presented a report to His Most Holy Lord Benedict, Pope XV, through the undersigned Cardinal, Prefect of the Sacred Congregation of Rites. His Holiness, having approved the aforementioned decree of the same Sacred Council, deigned to sign it with his own hand, establishing a Commission for the introduction of the cause of beatification and canonization of the Servant of God, Anna Maria Antigo, a professed nun of the Order of the Holy Clare, on the 27th day of the same month and year.

A. CARD. VICO, Bishop of Porto and Santa Rufina, Prefect of the Sacred Roman Congregation.

L. S. Alexander Verde, Secretary.

III. CONCERNING THE BEATIFICATION AND CANONIZATION OF THE VENERABLE SERVANT OF GOD, SISTER THERESA OF THE INFANT JESUS, A PROFESSED NUN OF THE ORDER OF DISCALCED CARMELITES, IN THE CONVENT OF LEXOVENS, REGARDING THE

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QUESTION:

Whether it is established that the virtues of faith, hope, and charity in God and towards one's neighbor, as well as the cardinal virtues of prudence, justice, fortitude, and temperance, and those virtues connected to them, were practiced in a heroic degree, in every circumstance and with such effect, as is required in the case under consideration?

Among the causes of beatification and canonization that have recently been presented to the Sacred Congregation of Rites, and which have already received, or are about to receive, a favorable outcome, it is difficult to find one that has aroused so much favor and grace throughout almost the entire Christian world, and which has so richly deserved, and continues to deserve, the veneration of the Venerable Servant of God, Sister Theresa of the Infant Jesus.

Indeed, the cause of this Servant of God far surpasses the humble and modest nature of ordinary causes, and greatly exceeds the person of a simple nun; for we are speaking of a young girl who lived a brief life hidden within the cloister, known to few during her lifetime; and it is impossible to recount anything about her from her own writings, since Sister Theresa herself, at the command of her Superior, did not write anything about herself, so that the most wonderful and universal things that can be learned from the aforementioned writings are more and more revealed through careful and delightful reading.

[*Latin ed. p. 450*]

450 Acta Apostolicae Sedis - The official commentary, published daily, demonstrates that the fruits of salvation cannot be contained within narrow human limits. Indeed, to move hearts, to bend wills, to improve morals, to kindle charity, and other similar effects, escape all human effort and find their proper explanation only in divine grace and the present help of God. Furthermore, all who, with a tranquil mind and free from preconceived notions, give even a little attention to this, will undoubtedly be led to immediately suspect and to revere the wise plan of the most provident God, who, in His ever-abundant mercy, has proclaimed His dominion over faith in this age of reason, and has given this latest example to His faithful handmaid, Sister Theresa, and has confirmed the precept of uncreated Wisdom: "And said: amen I say to you, unless you be converted, and become as little children, you shall not enter into the kingdom of heaven" (Matt. 18:3). Truly, there is a particular kind of sanctity that God chose for Sister Theresa, and with the utmost zeal and industry, she strove to fulfill her vocation, pursuing it with her own life and actions, diligently, generously, and constantly. And indeed, where all heroic virtue rightly consists and is thoroughly recognized, the diligent and careful efforts of those who, from both the apostolic and ordinary inquiries, have brought forth legitimate, copious, and valid proofs, have triumphed. Therefore, having presented a

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certain and firm demonstration of heroic virtues as a foundation, it was not difficult for those same individuals to refute the objections raised against her, guided by their wise and experienced Patron. Indeed, relying on facts, they sought to draw sufficient arguments from them, with the weight and power necessary to achieve their goal, using a thoughtful and effective method of reasoning; and they also brought with them those who, with a calm and thoughtful mind, carefully considered both the facts and the arguments. Of all that was presented in opposition, only one remains, which deserves a special mention, for if there were a need for it, it would have been presented as proof, and it would have affected the very essence of the case. This concerns the illness that Sister Theresa suffered, and the evil influence that it exerted on her and her actions, to such an extent that it made her appear suspect and greatly disturbed the foundation of her heroic virtues.

[*Latin ed. p. 451*]

The Congregation of Rites is a natural and necessary procedure. Indeed, if it is entirely permissible to deny the case of Sister Theresa, who, when she was ten years of age, fell ill with a disease whose nature had been hidden from the physicians, then it cannot be denied, by the grace of the Virgin Mother, that she was suddenly and perfectly restored to her former health. For those who speak of her infirmity are the very same who attest that she immediately and completely experienced a cure; therefore, if faith must be given to them when they first present their testimony, it cannot be denied to them when they affirm the other, as the accepted norm of law dictates.

However, if someone were to insist that Sister Theresa had not entirely recovered from the illness with which she had labored for so many years, since some vestiges of it remained, that person would surely fail to remember, and much more to disregard, a particular circumstance that is clearly attested in the records; and that circumstance is this: that after Sister Theresa had especially entered the cloister, she bore herself in such a way that she did not seem to recall the illness, nor did she have anything in common with it.

Indeed, her companions describe Sister Theresa as gentle, humble, patient, cheerful, agreeable, and even-tempered. And if Sister Theresa behaved in this manner, while all were observing and admiring her, and while she was still subject to the infirmity that she had previously experienced, then it is certainly the same as saying that her virtue was increased and made more illustrious by this very thing; and that her struggle was all the greater, and her self-control all the more powerful, so that she might emerge victorious from that acute conflict, which still stemmed from the illness that was deeply rooted within her, as it is clear that she did indeed emerge victorious.

Thus, for the sake of this great common good and this much desired joy, the question concerning the heroic virtues of the Venerable Servant of

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God, Sister Theresa of the Infant Jesus, in the case and to the effect of which we are speaking, could be resolved and defined after three discussions; for after the preparatory and preparatory general sessions, the Congregation was held on the second day of this month, before the Most Holy Lord, our Pope Benedict XV. In that session, the Most Reverend Cardinal Anthony Vico, the Relator of the cause, proposed the following question for discussion: Does it appear that the virtues of faith, hope, and charity in God and in neighbor, as well as the cardinal virtues of prudence, justice, fortitude, and temperance, and those things that are attached to them, were practiced by the Venerable Servant of God, Sister Theresa of the Infant Jesus, in a heroic degree, in the case and to the effect of which we are speaking? Then, all those who were present, both the Most Reverend Cardinals and the Consultor Fathers, gave their votes in order.

[*Latin ed. p. 452*]

452 Acta Apostolicae Sedis - Official Commentary: Although, with a joyful and attentive spirit, those present received the matter considered, the Most Holy Lord reserved the ultimate judgment for Himself, meanwhile exhorting the Assistants to diligently seek the will of God through prayer and supplication. Having subsequently determined to reveal His mind, He chose this most auspicious day, the thirteenth Sunday after Pentecost, the day before the feast of the Assumption of the Blessed Virgin Mary. Therefore, having performed sacred and most religious rites, He ordered the Most Reverend Cardinal Anthony Vico, Bishop of Porto and S. Rufina, Prefect of the Sacred Congregation of Rites and Relator of the cause, together with the Reverend Father Angelo Mariani, General Promoter of the Faith, and myself, together with the undersigned Secretary, to be summoned to the Vatican Basilica, and solemnly declared: That the virtues of Faith, Hope, and Charity, in God and in neighbor, as well as the cardinal virtues of Prudence, Justice, Fortitude, and Temperance, and those attached to them, are proven in the venerable Servant of God, Sister Theresa of the Infant Jesus, in a heroic degree, in every circumstance and in effect, concerning which the matter is discussed. He commanded that this decree be made public and recorded in the acts of the Sacred Congregation of Rites, on the nineteenth day of the month of September in the year 1921. A. CARD. VICO, S. R. E. Bishop of Porto and S. Rufina, Prefect. L. © S. Alexander Verde, Secretary.

[*Latin ed. p. 453*]

Diary of the Roman Curia 453. DIARY OF THE ROMAN CURIA. SACRED CONGREGATION OF RITES. Tuesday, August 2, 1921, in the Apostolic Palace at the Vatican, before the august presence of the Holy Father, the General Congregation of the Sacred Rites was held, in which the Eminent and Reverend Lords Cardinals, the Reverend Prelates, and the theo-

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logical Consultors, who comprise the same, discussed and gave their vote on the doubt concerning the heroic nature of the virtues exercised by the venerable Servant of God, Teresa of the Child Jesus, professed nun of the Discalced Carmelites of the Monastery of Lisieux. Tuesday, August 9, 1921, at the residence of the Eminent Lord Cardinal Vincenzo Vannutelli, Promoter of the Cause of beatification and canonization of the venerable Vincenzo Pallotti, Roman secular priest, Founder of the Pious Society of Missions, the Preliminary Congregation of the Sacred Rites was held, in which, by the Reverend Prelates Officials and the theological Consultors of the same, the doubt concerning the heroic nature of the virtues exercised by the same venerable Servant of God was discussed.

SECRETARY OF STATE. BY ORDER. With letters from the Secretary of State, the Holy Father deigned to appoint: August 8, 1921. The Eminent Lord Cardinal Giovanni Tacci, Protector of the Sisters of Providence of Portieux (diocese of Saint-Die). The Eminent Lord Cardinal Ludovico Billot, Protector of the "Sœurs du Saint Enfant Jésus" of Aurillac (diocese of Saint-Flour).

[*Latin ed. p. 454*]

Acts of the Apostolic See - Official Commentary 454 With Brief Apostolic Letters, the Holy Father deigned to appoint: Assistants to the Holy See 26 6 12 » 26 Pontifical: July 1921. Monsignor Ferdinando Rodolfi, Bishop of Vicenza. August » Monsignor Enrico Ludovico Chapon, Bishop of Nice. » » Monsignor Alfredo Giulio Mélisson, Bishop of Blois. » » Monsignor Giacinto Gaggia, Bishop of Brzesc. » » Monsignor Aurelio Bacciarini, titular Bishop of Daulis. Apostolic Protonotaries, as if participating: 2 8 August » 1921. Monsignor Arsenio Lebreton, of the diocese of Lavai. » Monsignor Goffredo Räber, of the diocese of Denver. Domestic Prelates of His Holiness: 23 June » » 27 » » » » 15 2 24 1921. Monsignor Carmine Lombardi, of the archdiocese of Benevento. » Monsignor Francesco Speranza, of the same archdiocese. » Monsignor Giuseppe Byrne, of the diocese of Indianapolis. » Monsignor Francesco Dowd, of the same diocese. » » Monsignor Teodoro Mesker, of the same diocese. » » Monsignor Francesco Roell, of the same diocese. » » Monsignor Francesco Unterreitmeier, of the same diocese. July » Monsignor Enrico Monteleone, of the diocese of Sarno. » » Monsignor Giuseppe Normandière, of the diocese of Lavai. August » Monsignor Giovanni Costantini, of the Patriarchate of Venice. HONORS With Brief Apostolic Letters, the Holy Father deigned to bestow the following honors: The Grand Cross of the Order of Saint Gregory the Great: 11 August 1921. To His Excellency, Mr. Don Diego Emanuele Chamorro, President of the Republic of Nicaragua. The Commander of the Order of Saint Gregory the Great: 28 July 1921. To Mr. Francesco De Justh, Under-Secretary at the Hungarian Ministry of Religious Affairs. The Grand Cross of the Order of Saint Gregory the Great, civil class: August 24 » 1921. To His Excellency, Mr.

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Massimo Zepeda, Minister of Foreign Affairs of the Republic of Nicaragua. » To His Excellency, Count Léo d'Ursel, Minister of Belgium to the Holy See.

[*Latin ed. p. 455*]

Diarium Romanae Curiae 45t) The Register of the Order of Saint Gregory the Great, civil class: July 29, 1921. To Mr. Luigi Grassi, of the archdiocese of Turin. The Commander's Cross of the Order of Saint Gregory the Great, civil class: August 10, 1921. To Mr. Riccardo Rey y Boza, Envoy of Peru to the Holy See. The Commander's Cross of the Order of Saint Gregory the Great, military class: July 23, 1921. To Mr. Natale Garnier Duplessix, General of French troops in Syria. August [date obscured] To Mr. Luigi Dufieux, General of French troops in Syria. The Cross of the Order of Saint Gregory the Great, civil class: July 20, 1921. To Mr. Giovanni Battista Rocco Gámbaro, of the archdiocese of Genoa. August [date obscured] To Mr. Pietro Gioacchino Chamorro, of the Republic of Nicaragua. The Cross of the Order of Saint Gregory the Great, military class: July 29, 1921. To Mr. Fernando Cornil, Lieutenant Colonel in the Belgian Army. The Knighthood of the Order of Saint Gregory the Great, civil class: August 6, 1921. To Mr. Abdallah Kamel. August 9, 1921. To Mr. Angelo Toccafondi, of Rome. August 10, 1921. To Mr. Giovanni K. Mullen, of the diocese of Denver. August 11, 1921. To Mr. Giovanni Zefirino Baradat, of the archdiocese of Bordeaux. August 13, 1921. To Mr. Giuseppe Beslier, of the diocese of Bayeux. The Cross of the Order of Saint Sylvester the Pope: July 27, 1921. To Mr. Luigi Ü' Illiers, Secretary of the Embassy, and formerly a member of the Extraordinary French Mission to the Holy See. To Mr. Ludovico Dietzl, of the Department of Religious Affairs in Hungary. The Knighthood of the Order of Saint Sylvester the Pope: July 28, 1921. To Mr. Vittorio Ferrazzi, of the diocese of Atri. To Mr. Arpad Siklos, of the Department of Religious Affairs in Hungary.

[*Latin ed. p. 456*]

Acts of the Apostolic See - Official Commentary 456

OFFICE OF THE PAPAL MAJORDOMO

By the hand of His Eminence, the Papal Majordomo, the Holy Father has deigned to appoint:

Extraordinary Secret Chamberlains to His Holiness:

October 27, 1917. Monsignor Cesare Cortini, of the archdiocese of Florence.

January 15, 1919. Monsignor Liborio Gerstenberger, of the diocese of Erbipoli.

July 15, 1921. Monsignor Giorgio Moreau, of the archdiocese of Tours.

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July 20, 1921. Monsignor Giuseppe Agostini, of the diocese of Treviso.

July 29, 1921. Monsignor Antonio Auda, of the diocese of Ivrea.

August 1, 1921. Monsignor Francesco Porcelli, of the archdiocese of Salerno.

August 8, 1921. Monsignor Stanislao Wisniewski, of the archdiocese of Leopoli.

August 12, 1921. Monsignor Giovanni Battista Camoni, of the diocese of Brzesc.

August 13, 1921. Monsignor Tommaso Carone, of the archdiocese of Taranto.

August 26, 1921. Monsignor Filippo Miliozzi, of the diocese of Macereta.

Extraordinary Secret Chamberlains with Sword and Mantle to His Holiness:

May 31, 1921.

August 6, 1921. The Honorable Marquis Alberto Ferrari (Rome).

The Honorable Marquis Agostino Fernandez de Peñaranda y de Angulo, of the diocese of Madrid-Alcalá.

Honorary Chamberlains in Peacock Blue Attire to His Holiness:

August 6, 1921. Monsignor Carlo Giuseppe Schmitz, of the archdiocese of KolÃn.

August 9, 1921. Monsignor Gaetano Ross, of the diocese of Larino.

August 13, 1921. Monsignor Celestino Grossi, of the archdiocese of Gaeta.

August 16, 1921. Monsignor Francesco Cominelli (Rome).

NECROLOGY

August 9, 1921. Monsignor Carlo Edoardo Mac Donnell, Bishop of Brooklyn.

August 17, 1921. Monsignor Domenico Ambrosi, Bishop of Terracina.

August 22, 1921. Monsignor Luciano Campistron, Bishop of Annecy.

August 24, 1921. The Most Reverend Cardinal Giorgio Gusmini, Archbishop of Bologna.

[*Latin ed. p. 457*]

October 1, 1921. Year XIII. Vol. XIII. No. 12.

ACTA APOSTOLICAE SEDIS. OFFICIAL COMMENTARY.

DECREES OF BENEDICT.

CONSTITUTIONES PP.

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XV.

A NEW DIOCESE IS CREATED FROM THE TERRITORY DIVIDED FROM THE DIOCESES OF ANTIOQUIENSIS AND IERIGOËNSIS, BOTH UNITED IN THE SAME WAY, NAMELY, THE NEW DIOCESE OF SANTA ROSA DE OSOS, IN COLOMBIA.

BENEDICT, BISHOP, SERVANT OF THE SERVANTS OF GOD,

FOR THE PERPETUAL MEMORY OF THE EVENT.

What the good of the Catholic religion has required for two years, namely, that the very extensive diocese of Antioquiensis in the Republic of Colombia be divided into two parts, so that a new diocese of Ierigoënsis might be formed, now requires that the division initially made be somewhat altered.

For many and just reasons, the Apostolic Delegate, within that Republic, requested that a new diocese be created in the northern and eastern part of the diocese of Antioquiensis, which surrounds the town of Santa Rosa de Osos; and that the remaining part of the diocese of Antioquiensis be united with the diocese of Ierigoënsis in the same way.

Since these things seemed to us to be suitable for the salvation of souls and for the proper episcopal administration, after deliberation, the ACTA of the Most Reverend Fathers, Members of the Sacred Congregation Consistorial, Vol. XIII, No. 12, October 1, 1921.

[*Latin ed. p. 458*]

458 Acta Apostolicae Sedis - Official Commentary of the Sacred Congregation for Extraordinary Affairs. By the consent of the venerable brother Bishop of Antioquiensis, and also with the consent of those who, as is fitting, may have an interest or presume an interest in the matter, exercising the fullness of Apostolic power, a faculty reserved to Us and to the Apostolic See in the aforementioned provision for the diocese of Antioquiensis, We divide and separate, for the purpose of establishing a new ecclesiastical circumscription, the eastern and northern parts of the diocese of Antioquiensis, where the city of S. Rosae de Osos is located; and We erect and declare a new and distinct diocese, perpetually established, according to the following manner.

Firstly, the new diocese of S. Rosae de Osos will have the same boundaries as those by which the aforementioned eastern and northern part of the diocese of Antioquiensis was previously circumscribed, so that the new diocese, in its western part, will be separated from the diocese of Antioquiensis by the course of the Cauca River, and then by the boundaries of the municipalities commonly known as Peque, Huango, and S. Rita, which will

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belong to the new diocese, and within its boundaries it will include the following parishes: S. Rosa de Osos, Cáceres, Zaragoza, Zea, Segovia, Remedios, Anori, Valdivia, Santa Rita, Briceño, Uuango, Peque, Toldas, Yarumal, Campamento, San Andrés, Amalfi, Angostura, Sabanalarga, Guadalupe, Carolina, Liborina, Carmen, Belmira, Gomez Plata, Yalí, San Pablo, Entreríos, Sacaojal, Sucre, Córdoba, Sopetrán, San Nicolás, San Jerónimo, San Pedro, Bon Matías, Evejico, and San Sebastián.

The diocese of S. Rosae, thus defined by these boundaries, We establish its seat and the episcopal cathedral in the same city of S. Rosae de Osos, and We raise it to the rank of an episcopal city, together with all the rights and privileges with which other episcopal cities enjoy by common right; and We elevate and ennoble the parish church located there, dedicated to S. Rosa Limanae, under the same title and invocation, and We maintain its parochial status, with the care of souls to be exercised as before, and We grant to it and to its bishops, for the time being, the honors, privileges, and rights with which other cathedrals and their prelates are endowed by common right or legitimate custom.

Furthermore, We assign to the new bishop and to his successors in office, a house already prepared there, as their residence.

Moreover, We constitute this newly erected diocese as a suffragan of the metropolitan Church of Medellensi, and We subject its bishop and his successors in office to the metropolitan jurisdiction of the aforementioned Archbishop of Medellensi; reserving to Ourselves and to the Apostolic See the free faculty of establishing a new dismemberment.

[*Latin ed. p. 459*]

The acts of Pope Benedict XV, page 459, concerning the celebration of this new diocese, whenever it may seem opportune. Regarding the governance, administration, and taxation of the diocese of St. Rose of Osos, and concerning the power, offices, and rights of the new bishop and his successors, the establishment of the cathedral chapter, or at least a college of consultors, the governance and administration of the diocesan seminary, the election of a capitular vicar, or administrator in the event of a vacancy, the rights and duties of the clergy and the faithful, and concerning the transmission of documents and other matters of this kind, We command that these be diligently observed, as the sacred canons, and especially the Council of Trent, establish and prescribe, notwithstanding any other declarations and provisions that may be issued by the Holy See in the future. Furthermore, so that the prelates of this new diocese, and their successors, may be able to maintain the dignity of their office, provide for the support of the clergy, and meet the expenses of divine worship and other needs of the diocese, We decree the establishment of an endowment and fund for the new episcopal see, from tithes, offerings, and other subsidies, which We do not doubt that the faithful themselves will generously provide. And since

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there is in the City [Rome] the Pontifical Latin College of America, in which clerics from almost all of South America are educated under the eyes of the Roman Pontiffs, and are instructed in philosophical and theological disciplines, We command that, as with other bishops of South America, so too from the diocese of St. Rose, mentioned above, and from its successors, two young men at least, chosen without interruption, be sent, to be supported at their expense, so that they may acquire knowledge of religion in the very center of truth, and then communicate it usefully to their fellow citizens. In order that more stable provision may be made for the support of these clerics and for the endowment of the College itself, We earnestly desire that the Bishop of St. Rose, as soon as possible, contribute as many goods as he can, so that from their revenues two of the aforementioned alumni, or at least one, may be supported, and that these revenues, as soon as they are received, be permanently assigned and attributed to the Pontifical Latin College of America in the City [Rome]. Furthermore, We command that the diocese of Santa Fe de Antioquia, which, as mentioned above, has been reduced in size and established with the dismemberment and erection of the diocese of St. Rose, be united and joined, in the same manner, with the diocese of Jericó, which was established and defined by Apostolic Letters dated the twenty-ninth day of the month of January of the year of Our Lord one thousand nine hundred and fifteen; so that both dioceses shall be subject to the jurisdiction, governance, and administration of one and the same bishop, who shall therefore be perpetually the Bishop of Santa Fe de Antioquia and Jericó.

[*Latin ed. p. 460*]

460 Acta Apostolicae Sedis - The official commentary shall be entitled, and the canonical possession of the Antioquiensis and Jericöensis Churches shall be separated. However, to govern these two dioceses, there will be a single curia, to be established by the Bishop in the city of Jericö. There will be two episcopal residences, one in the Jericöensis diocese, where the Bishop may and should reside for the greater part of the year, due to the favorable climate, and the other in the Antioquiensis diocese, where he may reside for a certain time at his discretion each year. It will be permissible for the Bishop to begin and conclude pastoral visits, to convene a synod, and to perform other functions of the episcopal ministry, in either diocese. Furthermore, with this union of the Churches established, we also decree that the Bishop shall receive the same revenue and income from both episcopal sees, and that he may freely confer ecclesiastical benefices from one diocese upon the priests of the other. Moreover, there shall be one seminary, either large or small, to be established in the city of Jericö, and there will be two Chapters. Whenever either episcopal see becomes vacant, both Chapters, convened in the city of Jericö, shall have the right to elect a single Vicar Capitular, or Administrator, according to

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the prescriptions of the sacred canons. Furthermore, since there exists in the eastern part of the Jericöensis diocese a parish, belonging to the Apostolic Prefecture of Chocó, called EI Carmen, which can more easily be assisted by the Bishop of Antioquiensis and Jericöensis, with the consent of the present Prefect Apostolic of Chocó, we detach and separate it from that Apostolic Prefecture, and forever unite and assign it to the Jericöensis and Antioquiensis dioceses. These matters, which We have decreed with Apostolic authority, may not, at any time, be infringed upon, or contradicted, or opposed in any way by any person. If anyone, may God prevent it, should presume to attempt this, let him know that he will incur the penalties prescribed by the sacred canons against those who obstruct the exercise of ecclesiastical jurisdiction. To ensure that all of these things are faithfully carried out, We entrust this task to our venerable brother, Henry Gasparri, titular Archbishop of Sebastes, Apostolic Delegate in the Republic of Colombia, and We grant him the necessary and appropriate powers, including the power to delegate a person of ecclesiastical standing, to carry out the aforementioned purpose, and also to definitively resolve any difficulty or opposition that may arise in the execution of this decree. However, he shall have the obligation to transmit to the Sacred Congregation Consistorial, within six months, a certified copy of the completed execution, so that it may be preserved in the archives of that Sacred Congregation.

[*Latin ed. p. 461*]

The acts of Pope Benedict XV, December. We hereby decree that these present letters shall be valid against all things to the contrary, even those with special and explicit mention, without any impediment. Given in Rome, at Saint Peter's, in the year of Our Lord nineteen hundred and seventeen, on the fifth day of the month of February, in the third year of Our Pontificate.

B. C. CARD. DE LAI, Bishop of Sabina.

O. CARD. CAGIANO, Secretary of the Holy Roman Church.

Iulius Campori, Apostolic Prothonotary.

Raphael Virili, Apostolic Prothonotary.

In place of: 5 Plumbi.

Registered in the Apostolic Archives, Volume XIV, number 42.

II. TO THE BISHOP BENEDICT, SERVANT OF THE SERVANTS OF GOD, FOR THE PERPETUAL MEMORY OF THE EVENT.

For many years, with the increasing number of Catholic faithful in the vast diocese of New Orleans, repeated requests and prayers have been presented to the Apostolic See, that a part thereof, which extends towards the west, beyond the river Atchafalaya, where the city of Lafayette flourishes, be separated and constituted a new, distinct diocese.

Since, in the most recent episcopal provincial convocation of the New

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Orleans province, these requests and prayers were supported by the votes of all the prelates, and to this was added the favorable testimony of the venerable brother John Bonzano, titular Archbishop of Melitene and the current Apostolic Delegate in the United States of North America, and since it appeared that nothing necessary for the erection of the new diocese was lacking; We, after due deliberation with Our Most Reverend and Venerable Brothers, the Cardinals of the Sacred Consistory, have decided and decreed that the division of the diocese of New Orleans and the erection of a new diocese, to be called the diocese of Lafayette, shall take place.

[*Latin ed. p. 462*]

462 Acta Apostolicae Sedis - Official Commentary. Wherefore, concerning the fullness of Apostolic power, and because it is deemed necessary, with the consent of those who are concerned or who are presumed to be concerned, We divide the aforementioned Diocese of New Orleans into two parts, and We erect and establish a new one, to be called the Diocese of Lafayette, in the western part, beyond the aforementioned river. Its boundaries shall be: to the east, the river Atchafalaya; to the south, to the west, and to the north, the boundaries of the aforementioned old Diocese of New Orleans. We erect and establish the episcopal see and cathedral in the city called Lafayette; and We permanently elevate and ennoble the parish church, dedicated to Saint John the Evangelist, to the rank and dignity of a cathedral church; and We constitute this diocese as a suffragan of the Metropolitan Church of New Orleans, and We subject its Ordinary to the metropolitan jurisdiction of the Archbishop of New Orleans. Furthermore, concerning the government, administration, endowments, and taxation of the Diocese of Lafayette, and the power, authority, attributions, offices, rights, and duties of the new Bishop and his successors in the episcopate, as well as the rights and obligations of the faithful, and other matters of this kind, We command that those things be observed which are established and prescribed by the sacred canons, especially those of the Council of Trent and the new Code, as well as other declarations issued by the Holy See, and the decrees of the Third Plenary Council of Baltimore. Moreover, We wish that the Cathedral Church of Lafayette and its Bishop enjoy and possess the same honors, insignia, favors, indulgences, graces, privileges, and rights, by which other dioceses and their prelates in North America, enjoy and possess, not, however, by virtue of a burdensome or special indulgence. Until a cathedral chapter is established, diocesan consultors shall be suitably chosen and appointed. Finally, for the execution of these matters, We depute our venerable brother, John Bonzano, titular Archbishop of Melitene, and Apostolic Delegate in the United States of North America, granting him the necessary and appropriate powers, including the power to delegate to anyone constituted in ecclesiastical dignity, for the purpose in question, and to definitively decide on any difficulty or opposition that

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may arise in the execution of these matters; and We also impose upon him the duty of transmitting to the Sacred Congregation Consistorial, within six months, an authentic copy of the completed execution, so that it may be preserved in the archives of that Sacred Congregation.

[*Latin ed. p. 463*]

The Acts of Pope Benedict XV, 463: Whatever has been decreed by Us in these Letters with Apostolic authority, it is permitted to no one, at no time, to infringe upon it, to oppose it, or to contradict it in any way. If anyone, may God prevent it, should presume to disregard this, let him know that he will become subject to the penalties prescribed by the sacred canons, and to the statutes of ecclesiastical jurisdiction. Finally, We decree that these present Letters shall be valid, notwithstanding any contrary provisions, even those deserving of special and explicit mention. Given in Rome, at Saint Peter's, in the year of Our Lord nineteen hundred and eighteen, in the fourth year of Our Pontificate, on the eleventh day of the month of January. © C. CARD. DE LAI, Bishop of Sabina. Secretary of the Sacred Congregation. O. CARD. CAGIANO, Servant of God, Chancellor. Raphael Virili, Apostolic Protonotary. Ludovicus Schüller, Apostolic Protonotary. Registered in the Apostolic Chamber, volume XVI, number 20.

III. NEW DIOCESES OF OLINDENSIS-RECIFENSIS, NAZARETH, AND GARANHUNENSIS ARE CREATED IN BRAZIL, AND THE SEAT OF THE FLORESTENSIS EPISCOPAL SEE IS TRANSFERRED.

BENEDICT, SERVANT OF THE SERVANTS OF GOD, FOR THE PERPETUAL REMEMBRANCE:

The Archdiocesis of Olinda-Recife, which formerly encompassed the entire civil State of Pernambuco, is, at the present time, although somewhat diminished since the creation of the Floresta diocese in the western part of the aforementioned civil State in the year nineteen hundred and eighteen, still so extensive, both in terms of territory and in the number of the faithful, who exceed two hundred and forty million, that it can be suitably governed by a single Ordinary. After carefully considering these matters, the venerable brother Sebastian Lerne a Silveira...

[*Latin ed. p. 464*]

464 Acta Apostolicae Sedis - Official Commentary. The Most Reverend Archbishop of Olinda-Recife, Cintra, commendably, wisely, and with great concern, has proposed the division of the archdiocese, considering it necessary for the salvation of the flock entrusted to him and for the better progress of religion. After having conferred on this matter with the Venerable Apostolic Nuncio and with other prudent men, and after having compared the necessary resources for the newly established dioceses, he

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petitioned the Apostolic See, with earnest prayers, that the eastern part of the civil province of Fernambuco be divided into three dioceses, so that the archdiocese of Olinda-Recife would be in the center, and another new one would be established in the northern part and another in the southern part: the former near the town of Nazareth, the latter near the town of Garanhuns. Furthermore, for the same reasons, he requested that the diocese of Floresta, located in the extreme western part, be extended and stretched eastward to the city of Pesqueira, which, at the present time, is far superior to the town of Floresta in terms of population, ease of access, and commercial activity, and for this reason, he proposes it as the seat of the Bishop and the episcopal city. After all matters were carefully considered by the Most Holy Congregation of the Consistory, and since the wishes of the aforementioned Archbishop were deemed worthy of being heard, and with the agreement of the Venerable Brother, the current Bishop of Floresta, We, by the fullness of Apostolic authority, and supplementing, as may be necessary, those whose interests are involved or who may presume to have an interest, and also exercising the faculty granted to Us in the Apostolic Letters of the twenty-seventh day of the month of April of the year of Our Lord one thousand eight hundred and ninety-two, addressed to all the churches of the world, We perpetually establish and declare a new cathedral church in the eastern, northern part of the archdiocese of Olinda-Recife, to be called the Church of Nazareth, and We establish the seat and the episcopal cathedra of the Bishop in the parish church of Our Lady of Nazareth in Nazareth, and We elevate that church to the dignity of a cathedral. The diocese thus established will comprise twenty-nine parishes, namely: Nazareth, Vicenda, Lagôa Secca, Timbaüba, O' de Goyanna, Tijucopapo, Goyanna, Itanïbé, Tracunhâem, Gruangy, Floresta dos Leôes, Limoeiro, S. Vicente, Boni Jardim, Queimadas, Taquaratinga, Sta Grux, Surubim. In the southern part of the same archdiocese, We also perpetually establish and declare a new diocese, to be called the Diocese of Garanhuns, and We decree that the seat of the Bishop and the episcopal cathedra shall be in the church of St. Anthony of Padua in Garanhuns, and We elevate that church to the dignity of a cathedral. We subject the following fifteen parishes to the jurisdiction of this diocese: Garanhuns, Born Gm-

[*Latin ed. p. 465*]

The acts of Pope Benedict XV, page 465, mention the following places: Correntes, Palmeira de Garanhuns, Aguas Bellas, S. Bento, Canhotinho, Guipapà, Gatende, Palmares, Lagôa de Gatos, Panellas, Beiern de Maria, Agua Prêta, Barreiros. Furthermore, to the diocese of Floresta, we add six other parishes, namely: Pesqueira, Belho Jardim, Brejo da Mae de Deus, Cimbres, Pedra, and Buique. We transfer the episcopal seat and the cathedral from the city of Floresta to the city of Pesqueira, and we declare the

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cathedral there, and we decree that the diocese itself shall henceforth be called the diocese of Pesqueira; suppressing and extinguishing all rights and privileges that belonged to the church of Floresta by virtue of its status as a cathedral. Finally, we restrict the rights of the archdiocese of Olinda-Recife to the remaining territory, in which still reside more than one hundred thousand people. To these newly erected or expanded dioceses, and to their pastors, we grant all rights and privileges, by which other episcopal sees and their cathedrals and their prelates enjoy: with the pastoral care of souls in these cathedrals, as before, being preserved. And we declare these dioceses to be suffragan dioceses of the Church of Olinda-Recife, and we subject their bishops, for the time being, to the metropolitan jurisdiction of the Archbishop of Olinda-Recife, reserving to Ourselves and to the Apostolic See the faculty of dividing these dioceses anew, whenever it shall seem expedient in the Lord. And with regard to their governance and administration, as well as the rights and duties of the pastors and the faithful, and other matters of this kind, we command that the prescriptions of the sacred canons be religiously observed. We establish the episcopal table with the goods already contributed by the faithful, the revenues of the episcopal curia, and other offerings, which the faithful will readily offer. We wish that from each diocese, two young men, or at least one for the present, endowed with qualities superior to others in intellect and morals, be sent continuously and without interruption to this Almae Urbis Pium Latinum Americanum College, for the purpose of study, at the expense of the Ordinaries. Furthermore, we grant, as far as it is necessary, and saving, if there are any, contrary and express wills of those offering, that the sum of forty-two *cintos* or a part thereof, be allocated for the benefit of the education of young men from the diocese of Nazareth, pertaining to two rural chapels and located within the boundaries of this newly erected diocese, according to the wishes of the same Archbishop of Olinda-Recife. The revenues from the goods that are necessary...

[*Latin ed. p. 466*]

466 The Acts of the Apostolic See – Official Commentary, we wish to permanently assign to the education of these young men, to the Pontifical Latin-American College. Furthermore, whatever has been decreed by Us in these Letters, with Apostolic authority, it is forbidden to any person, at any time, to infringe upon, or to oppose, or in any way to contradict. If anyone, may God prevent it, should presume to attempt this, let him know that he will incur the penalties prescribed by the sacred canons, according to the statutes of ecclesiastical jurisdiction. For all of these matters, we entrust the execution to the venerable brother Hyacinth Angelus Scapardini, titular Archbishop of Damascus and Apostolic Nuncio in the Brazilian Republic, and we grant him the necessary and appropriate powers, including the power to delegate another man in ecclesiastical dignity, specifically

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Sebastianus Lerne a Silveira Cintra, Archbishop of Olinda-Recife, and also definitively to decide upon any difficulty or opposition that may arise in the execution, with the obligation of sending, within six months, to the Sacred Congregation Consistorial, a certified copy of the completed execution, so that it may be preserved in the archives of that same Sacred Congregation. Finally, we decree that these present Letters shall be valid, notwithstanding any contrary provisions, even those worthy of special and explicit mention. Given at Rome, near Saint Peter, in the year of Our Lord nineteen hundred and eighteen, in the fourth year of Our Pontificate.

•B C. CARD. DE LAI, Bishop of Sabina.

Secretary of the Sacred Congregation Consistorial.

O. CARD. CAGIANO, S. R. E.

Chancellor.

Ludovicus Schüller, Apostolic Protonotary.

Leopoldus Capitani, Substitute Registrar, by special delegation.

Registered in the Apostolic Registry, volume XVII, number 22.

[*Latin ed. p. 467*]

The acts of Pope Benedict XV, number 467, concerning the territory of Eupen and Malmédy, formerly part of the Archbishopric of Cologne and the German Empire, now annexed to the Kingdom of Belgium, state that it was requested by the Apostolic See that these provinces be separated from the Archbishopric of Cologne and erected into a new diocese.

Furthermore, We, having considered that the spiritual good of the faithful requires that this new arrangement be made, and having carefully considered all that was necessary for this purpose, We have decided that these provinces should be separated and erected into a new diocese. Therefore, with the consent of the Most Reverend Archbishop of Cologne and with the necessary provisions made, We, by the fullness of Our Apostolic authority, separate and detach the aforementioned provinces of Eupen and Malmédy from the Archbishopric of Cologne, and We erect and declare them to be a new diocese, to be called the Diocese of Eupen and Malmédy.

We also order that this new diocese be united in the same manner with the Diocese of Liège, reserving to Ourselves and the Apostolic See the faculty of disposing of it otherwise whenever the good of souls may require it.

Moreover, both the Diocese of Liège and the Diocese of Eupen and Malmédy shall be subject to the jurisdiction, governance, and administration of one and the same Bishop, who shall henceforth be

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called the Bishop of Liège, Eupen, and Malmédy.

[*Latin ed. p. 468*]

468 Acta Apostolicae Sedis - Official Commentary: Henceforth, the diocese of Medea shall be designated as such, and the canonical possession of Liège shall be separate from the dioceses of Eupen and Malmedy. To govern these two dioceses, in addition to the episcopal curia already existing in the diocese of Liège, another shall be established in the principal city of the new diocese, a city to be chosen by the venerable brother of these Letters, as indicated below, who shall be responsible for its execution; and the Administrator, or Delegate of the Bishop, must also reside there. We also command that the same executor choose, in the same city, one of the parish churches, which he deems most suitable and appropriate, and grant it the honors, privileges, and other rights with which other cathedral churches and their prelates enjoy, either by common law or custom. Furthermore, the Bishop must reside in this new diocese for at least one month of each year, according to the law. However, he may perform the pastoral visitation, convene a synod, and carry out other functions of the episcopal ministry, which are common to both dioceses, in either one. Having established this union of dioceses, we decree that the Bishop shall receive the double episcopal salary and all revenues and proceeds, so that he may meet any diocesan expenses and needs, and that the Bishop may freely grant ecclesiastical benefices of one diocese to priests of the other. Furthermore, there shall be one seminary, and in addition to the Chapter of Liège, there will be another college of Canons, or Consultors, in the new diocese. These things which we have decreed by the authority of these Apostolic Letters, no human being may, at any time, infringe, or oppose, or in any way contradict. If anyone, may God prevent it, should presume to attempt this, let him know that he will be subject to the penalties prescribed by the sacred canons against those who obstruct the exercise of ecclesiastical jurisdiction. For the faithful execution of these matters, we entrust the venerable brother Sebastian Nicotra, the titular Archbishop of Heraclea and Apostolic Nuncio in the Kingdom of Belgium, and we grant him all necessary and appropriate powers, including the power to delegate, to any man constituted in ecclesiastical dignity, to carry out the aforementioned purpose, and to definitively resolve any difficulty or opposition that may arise in the execution thereof; and he shall report the completed execution to the Sacred Congregation Consistorial within three months, calculated from the present Letters, by transmitting an authentic copy of the completed execution. Finally, we declare that these present Letters shall be valid, notwithstanding any contrary provisions.

[*Latin ed. p. 469*]

From the Acts of Pope Benedict XV, page 469, without any impediment,

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even with a special and explicitly worthy mention. Given in Rome, at Saint Peter's, in the year of Our Lord nineteen hundred and twenty-one, on the thirtieth day of the month of July, in the seventh year of Our Pontificate.

[Signature] G. CARD. DE LAI, Bishop of Sabina. Secretary of the Sacred Congregation Consistorial.

[Signature] O. CARD. CAGIANO, Servant of God, Eminence, Chancellor.

Ludovicus Schüller, Apostolic Prothonotary.

Leopoldus Capitani, Substitute Registrar, by special delegation.

Registered in the Apostolic Registry, Volume XXIII, number 58.

APOSTOLIC LETTERS

I. ERECTION OF THE APOSTOLIC VICARIATE OF NGAN-HOEI AND CHANGE OF NAME OF THE APOSTOLIC VICARIATE OF NANKIN.

BENEDICT XV, POPE.

For the sake of posterity.

— From this most exalted Chair of the Apostle Peter, which We have attained through divine grace, not through Our own merits, We turn the gaze of Our mind to all regions of the Catholic world, seeking those things that may better promote the sacred cause, and those things that may contribute to the benefit of the faithful and the salvation of souls, and We mature Our decisions with diligent study.

Indeed, it is well known that among the more distinguished and extensive apostolic vicariates located in the region of China, the Vicariate of Nankin must certainly be included, which encompasses the two civil provinces of Kiang-sou and Ngan-hoei, and is entrusted to the care of the Clerical Regular Society of Jesus.

Now, however, since, due to the joyful growth that the Catholic religion has experienced in the province of Ngan-hoei in recent years, and in order to promote the greater good of souls, it has seemed opportune to consider the possibility of separating the aforementioned civil province of Ngan-hoei from the Apostolic Vicariate of Nankin, and of erecting it as a distinct Apostolic Vicariate: We, after having consulted with Our Most Reverend and Eminent Cardinals, Prefects of the Congregation for the Propagation of the Faith, decree and ordain the following.

Namely, from...

[*Latin ed. p. 470*]

470 Acta Apostolicae Sedis - Official Commentary: With certain knowledge and mature deliberation, and by the fullness of Our Apostolic author-

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ity, by this present document, We separate from the Apostolic Vicariate of Nankin the civil province of Ngan-hoei, which is bordered by the other civil provinces of Kiang-sou, Honan, Houpé, Kiang-si, and Tche-kiang, and We establish this same province as a distinct Apostolic Vicariate, to be called by the same name as the civil province of Ngan-hoei, and We entrust it to the care of the Fathers of the Society of Jesus. We also decree that the name of the Vicariate of Nankin shall be changed, after this division, to the Apostolic Vicariate of Kiang-sou. These things We have decided, decreeing that these present Letters shall always remain firm, valid, and efficacious, and shall have and obtain their full and complete effect, and that those to whom they pertain, or who may pertain to them, shall fully support them; and that it shall be rightly judged and defined, and that, from this moment and forever, anything to the contrary shall be considered void and null, notwithstanding any contrary provisions. Given at Rome, near Saint Peter's, under the Fisherman's Ring, on the eighth day of August, in the year 1920, in the seventh year of Our Pontificate. P. CARD. GASPARRI, Secretary of State.

II. THE TITLE OF BASILICA MINOR IS CONFERRED UPON THE CHURCH, OR SHRINE, OF THE ANNUNCIATION OF THE BLESSED VIRGIN MARY, IN THE TOWN OF "FOLLINA," IN THE DIOCESE OF CENEDA.

BENEDICT XV. For the perpetual memory of this event.

— A large and ancient abbey of the Cistercian Fathers, founded in the twelfth century, exists within the territory of the Diocese of Ceneda, in the town commonly called Follina, and adjacent to the monastery is a church or shrine dedicated to the Virgin Mary, greeted by the Angel, distinguished not only by its artistic works but also by the splendor of divine worship and the devotion and faith of the Christian people. There is venerated a miraculous image, sculpted in marble, of the Blessed Virgin Mary with the Infant Jesus, to which, according to ancient custom, countless faithful come every year. This abbey, having been elevated to the rank of commendatory archpriory, has rejoiced the prelates, and Charles Barbo, who later obtained this Chair of Saint Peter under the name of Paul II, and...

[*Latin ed. p. 471*]

The acts of Pope Benedict XV. The blessed Charles Borromeo was among those abbots. The sanctuary has never lacked adornment, nor the piety of the faithful, nor the frequent attendance of the regular clergy: for first the monks of Cîteaux, and then those of Camaldoli, guarded the very sacred building; at present, it is entrusted to the care of the Servants of Mary, and it shines with a new and indeed more splendid splendor. Adorned with abundant and precious furnishings, the same church is ennobled both by the relics of the Saints and by the special indulgences and privileges granted by this Holy See. Now, when the beloved son Anacletus M. Milani,

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Prior and Archpriest of the church and monastery of the Annunciation of the Blessed Virgin Mary, having seized a propitious opportunity, sought the coronation of that wondrous image, which, by decree of the Chapter of the Basilica of the Vatican, will be solemnly adorned with a golden diadem next September, and having expressed his vows, as well as those of the religious confraternity and the faithful, We, moved by fervent prayer, have deemed it fitting to elevate that church, or Marian sanctuary, to the title and dignity of a minor basilica, and We have readily and willingly granted these requests, encouraged by the most earnest recommendation of both the Bishop of Ceneda and the General Vicar of the Order of the Servants of Mary. Therefore, after consultation with the Most Reverend Fathers, Cardinals, Prefects of the Congregation for Sacred Rites, We, by Our Apostolic authority, in the presence of these witnesses, and forever, elevate the church of the Annunciation of the Blessed Virgin Mary, in the city of Follino, in the diocese of Ceneda, to the title and dignity of a minor basilica, together with all the privileges and honors that belong to minor basilicas of the Eternal City. We decree that these Our letters shall always remain valid and effective, and shall fully and completely produce their intended effects, and that they shall fully suffice for those to whom they pertain, now and in the future, and that they shall be duly judged and defined, and that whatever is contrary to them shall be considered void from now on, if anyone, knowingly or unknowingly, should attempt to alter them in any way. Notwithstanding any contrary provisions. Given at Rome, at Saint Peter's, under the Fisherman's ring, on the tenth day of August, in the year 1921, in the seventh year of Our pontificate. P. CARD. GASPARRI, Secretary of State.

[*Latin ed. p. 472*]

47 Acta Apostolicae Sedis - Official Commentary III. SANCTUARY OF THE BLESSED VIRGIN MARY ASSUMED INTO HEAVEN, ON MOUNT ALVERNA, IS ENRICHED WITH THE DIGNITY AND TITLE OF A BASILICA MINOR. BENEDICT XV. For the perpetual memory of this matter. — Blessed Francis of Assisi, for the salvation of the Christian faithful who, though living in the world, desired to attain Christian perfection, in the year 1221, prudently established an Order, whose members therefore celebrate this very year the full seven centuries since the founding of their Order, with great joy for all good things, and which we, with great approval, have augmented with several indulgences and privileges on the occasion of this solemnity. And since we desire that the memory of this auspicious event remain perpetually, we have also decided, as a special testimony of Our benevolence, to enhance the splendor of the sanctuary, which, in a secluded place called Alverna, is cared for by the Brothers Minor, and which, built with the contributions of the faithful, is dedicated to the Blessed Virgin Mary Assumed into Heaven and to Saint Francis, and

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which, almost under the very shadow of the holy Lawgiver, was miraculously adorned with sacred stigmata in the solitude of that same place in the year 1224. For from the very beginning, numerous Christian faithful have flocked to this temple and the Franciscan friary it contains; and, with the passage of time, the piety of the people towards these sacred places has never diminished, but rather has increased more and more, even to our own times. Furthermore, within the sanctuary itself, the works of those same religious men are conspicuously displayed as monuments of fine art, and the divine worship, with its sacred liturgical ceremonies and rites, is continuously and excellently practiced and fostered. We have gladly received a humble petition from Our beloved son, Mariano Libri, the present Moderator of the Franciscan friary on Mount Alverna, in which, in his own name, he earnestly requests us, on behalf of the Franciscan Family and all the members of the Third Order of Franciscans, to deem it fitting to enrich this sanctuary with the dignity, title, and privileges of a Basilica Minor, through Our benevolence. Wherefore, after due deliberation with the Most Reverend Fathers, Cardinals, Prefects of the Congregation of Sacred Rites, and with full knowledge and mature deliberation, and by the fullness of Our Apostolic power, by the force of these present letters, and perpetually, We declare the sanctuary of the Blessed Virgin Mary Assumed into Heaven...

[*Latin ed. p. 473*]

The Acts of Pope Benedict XV, volume 473, dedicated to the mountain of Alverna, within the boundaries of the diocese of Arezzo, are hereby honored with the dignity and title of a Minor Basilica, with all the honors, prerogatives, privileges, and indulgences that rightfully belong to the Minor Basilicas of this Holy City. We decree that these present Letters of Ours shall always remain firm, valid, and effective, and shall fully and completely produce and obtain their intended effects, and shall fully benefit those to whom they pertain, now and in the future; and that they shall be rightly judged and defined, and shall be declared null and void from this moment forward, if anything contrary to these should occur, knowingly or unknowingly, by anyone, with any authority whatsoever. Notwithstanding any contrary provisions. Given in Rome, at Saint Peter's, under the Fisherman's Ring, on the twenty-third day of August, in the year 1921, in the seventh year of Our Pontificate. P. CARD. GASPARRI, Prefect of the Secretariat of State. LETTER TO THE REVEREND FATHER VINCENT, SECRETARY TO HIS EMINENCE CARDINAL VANNUTELLI, DEAN OF THE SACRED COLLEGE: CONCERNING THE HONORS DECREED IN MEMORY OF THE SUPREME MUSICIAN, JOHN PIERLUIGI OF PRENESTINE.

Your Eminence, Cardinal,

We have learned with great pleasure that the city of Palestrina is preparing to bestow solemn honors on the memory of the great master, Giovanni

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Pierluigi, who, having been born in that city, has made its name famous throughout the world. Such festivities will undoubtedly be an encouragement not only to those who cultivate classical music, but also, above all, to those who are zealous for the decorum of the temple of God, for few times in history have the ideals of art and the splendors of faith been fused with such perfect harmony, as in the artist whose polyphonic works are among the most precious ornaments of Our pontifical chapel and of the Roman basilicas. Therefore, the monument that the city of Palestrina is erecting to its great son, and the inaugural celebration, which is announced to be particularly solemn, deserve special consideration from the Apostolic See. Your Eminence, as Bishop of the diocese, has been called to preside honorarily over the festivities, and certainly Your Eminence's presence...

[*Latin ed. p. 474*]

474 Acta Apostolicae Sedis - The Official Commentary of the Church, or rather, of the Dean of the Sacred College, will serve to give these [festivities] a particular splendor; but it is Our desire to participate in some way in such honors; and therefore, while We have decided to contribute with the offering which We present to you, to the expenses incurred by this meritorious municipal administration for the erection of the monument, We are pleased to authorize you, Your Eminence, to represent Our humble person at the inauguration ceremonies. The interest We take in this celebration should serve to promote ever more that fervor of musical restoration which, happily begun by Our Predecessor of venerable memory, in the first year of his pontificate, has spread and intensified in all regions of Christendom. We do not wish that, with the passage of years, time may diminish the effectiveness of those wise norms which the same Pontiff established in the motu proprio of November 22, 1903, calling them the legal code of sacred music; but rather that they remain in full force, especially with regard to classical polyphony, which, as was excellently stated, attained its highest perfection in the Roman school through the work of Pier Luigi da Palestrina. In this way, the faithful, gathered in prayer in the temple of God, will more easily be aroused to devotion and will be better disposed to receive the fruits of grace. With this hope, We are grateful, Your Eminence, to impart to you, to your clergy, to the promoters of the festivities, and to the beloved people of the diocese of Palestrina, the Apostolic blessing. From the Vatican, September 19, 1921. BENEDICT PP. XV.

[*Latin ed. p. 475*]

Sacred Congregation of the Consistory, ACTS 475.

SACRED CONGREGATION OF THE CONSISTORY.

I. OF PREMYŚL OF THE LATINS – TARNÓW.

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CONCERNING THE ALTERATION OF THE BOUNDARIES OF DIOCESES.

DECREE.

The faithful of the *pago* of Koniorów, belonging to the parish of Ostrowy Tuszwowskie and to the Diocese of Tarnów, being situated at a considerable distance from their own parish church, have petitioned the Ordinary of Przemyśl, with the consent of the Most Reverend Bishop of Tarnów, that they be united with the parish of Majdan Kolbuszowski, which is located in the Diocese of Przemyśl of the Latins, and is not far away.

Furthermore, Our Most Holy Lord Pope Benedict XV, graciously receiving these petitions, has decreed, by the present decree of the Consistory, that the *pago* of Komorów be separated from the parish of Ostrowy Tuszwowskie and from the Diocese of Tarnów, and be permanently united with the parish of Majdan Kolbuszowski, located in the Diocese of Przemyśl of the Latins.

To oversee the execution of this, His Holiness has appointed the Most Reverend Father Joseph Sebastian Pelczar, Bishop of Przemyśl of the Latins, granting him the necessary and appropriate powers for this purpose, including the power to delegate any person of ecclesiastical standing to carry out the aforementioned task; and he is charged with sending an authentic copy of the completed execution to this Sacred Congregation within six months.

All contrary decrees are hereby set aside.

Given at Rome, from the offices of the Sacred Congregation of the Consistory, on this 30th day of August, 1921.

C. CARD. DE LAI, Bishop of Sabina, Secretary.

L. *S. Aloisius Sincero, Assessor.

[*Latin ed. p. 476*]

476 Acta Apostolicae Sedis r Official Commentary II MONACHEN AND FRISINGEN. AUGSBURG. VINDELICUM CONCERNING THE MUTATION OF DIOCESAN BOUNDARIES. DECREE. The Most Reverend and Eminent Cardinal Archbishop of Monchen and Frisingen, with the consent of the Most Reverend Ordinary of Augsburg and Vindicum, petitioned the Apostolic See for the dismemberment of the territory of Achrain from the parish of Uhlstädt, belonging to the archdiocese of Monchen and Frisingen, and for its aggregation to the parish of Murnau, belonging to the diocese of Augsburg and Vindicum; this was requested both because of the great distance by which the faithful of the parish of Uhlstädt are separated from their own parish church, and also because of the excessive ruggedness of the roads leading to it. In view of these requests, the Most Holy Lord Pope Benedict XV, considering all that was pertinent to the matter, and having received a favorable opinion from the Most Reverend Father Dominus

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Eugenius Pacelli, titular Archbishop of Sardia, and Apostolic Nuncio in Germany, benignly decided that it should be approved. For this reason, exercising the fullness of the Apostolic power and providing for what is necessary, and with the consent of those whose interests may be involved, he decreed in the present Consistory that the aforementioned territory of Achrain should be separated from the parish of Ohlstädt and from the archdiocese of Monchen and Frisingen, and should be aggregated to the parish of Murnau and the diocese of Augsburg and Vindicum. To ensure the execution of the foregoing, the Most Holy Lord has deigned to appoint the same Most Reverend Father Dominus Eugenius Pacelli, granting him all the faculties necessary and appropriate for this purpose, including the power to delegate any man holding ecclesiastical office to carry out the aforementioned action; and he is charged to send within six months to this Sacred Congregation an authentic copy of the completed execution. All contrary decrees notwithstanding. Given at Rome, from the offices of the Sacred Congregation Consistory, on the 31st day of August, 1921. C. CARD. DE L A I, Bishop of Sabina, Secretary. L. © S. Aloysius Sincero, Assistant.

[*Latin ed. p. 477*]

Most Holy Father Benedict XV, by the decrees of the Sacred Congregation Consistorial, has provided pastors for the following churches, as follows:

August 26, 1921. — To the Cathedral Church of Aprutina, or Theramensis, he appointed the Reverend Septimius Quadraro, Archdeacon of the Metropolitan Church of Camerinensis, and there, a Vicar General. — To the Cathedral Church of Tulancingo, the Reverend Father Vincent Castellanos and Nuñez, formerly the Bishop of Campeche. — To the Metropolitan Church of Cuiabensi, the Reverend Father Franciscus de Aquino Correa, formerly the titular Bishop of Prusiadensis.

August 27. — To the Cathedral Church of Vigevano, the Reverend Father Angelus Hyacinthus Scapardini, formerly the titular Archbishop of Damascenum. — To the Cathedral Church of Fodiana, the Reverend Father Petrus Pomares, Primicerius of the Metropolitan Church of Ancohitana.

August 29. — To the Metropolitan Church of Dublin, the Reverend Father Eduardus Byrne, formerly the titular Bishop of Spigacensis.

September 28. — To the titular episcopal See of Methone, the Reverend Father Franciscus Melchiori, O.F.M., he appointed as coadjutor with the right of succession to the Reverend Father Primi Bianchi, Archbishop of Dyrrachiensis.

SACRED CONGREGATION OF THE COUNCIL OF LINGEN.

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DIVINE OFFICE.

On April 12, 1919, April 16, and July 9, 1921.

FACTS PRESENTED. — The Bishop of Linz presented the following doubt concerning the obligation of reciting the Divine Office on the part of the Bishop when he attends with the choir or at chapter processions: "Since the Bishop is bound to recite the Divine Office, just as other priests are, the question arises: whether he fulfills this obligation sufficiently when he solemnly participates in parts of the Office, as is customary."

[*Latin ed. p. 478*]

478 Acta Apostolicae Sedis - Official Commentary: "These [duties] must be performed by the Ordinary, for example: 1) before the High Mass, at the Third Hour or the Nones, which are sung by the choir, although he himself is meanwhile preparing for Mass; he must not forget to recite and to sing the concluding prayer of the Third Hour or the Nones; or 2) at the Solemn Vespers, also sung by the choir, while he himself solemnly performs the prescribed functions on the throne and at the altar; or also 3) leading the procession on the feast of St. Mark, or during the major litanies, and also during the minor litanies, solemnly leading [the procession], although it may not be appropriate for him to sing the litanies with the other singers in the public procession; and similarly 4) in other functions which he solemnly performs, although, according to the rubrics of the Ceremonial of Bishops, only the choir or certain singers are required to recite the parts of the office, without him reciting them." Regarding these matters, certain Consultors were heard, and their observations are summarized as follows.

OBSERVATIONS: - Although, concerning the questions raised, no authentic decision of the Apostolic See exists, as far as we know, nor is there any direct and definitive answer to be found in the books of the Doctors, it is nevertheless considered and widely accepted that the Bishop fully fulfills his duty when, in accordance with the prescription of the Ceremonial of Bishops, book II, chapter VII, paragraph 8, while seated on his throne, about to solemnly celebrate Mass, and after the choir has recited the prayers Pater, Ave, intoned *Deus in adiutorium* and the antiphons, and after the hymn has been sung with the ministers, he immediately reads from the book five psalms and the other prayers for preparation for Mass, while the choir sings the hymns and the psalms of the Hour, provided that the Bishop rises at the appropriate time to read the chapter, and recites the responsories together with the choir, and also recites the prayer for the Hour. If he performs these things properly, then, according to common usage and opinion, the Bishop is not required to recite privately afterwards the Third Hour or the Nones sung by the choir, nor to supplement the psalms of that Hour, for which, while the choir was singing, he had previously read the psalms and prayers for the Mass. Conversely, according to the

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same common opinion and practice, the Bishop seems and is considered obligated to recite or supplement those parts of the divine office which, while they were being sung by the choir or by the people, he himself was only materially, although solemnly, present at, whether at Vespers, or at Matins with Lauds, or at the major or minor litanies, which the choir recites with the Bishop present in pontifical functions, but completely silent.

[*Latin ed. p. 479*]

Sacred Congregation of the Council, 479. In order that a different reason may be given for this common opinion and practice, it is seen that it can be referred back to what is quite usual among the writers on liturgical and canon law: in some cases, the choir is supplemented; and this is understood when the person in whose favor the invocation is made is either a) present in the choir, or indeed forms a single entity with the choir; b) is nevertheless materially prevented from choral recitation, because he is occupied in some ceremony or choral service (cf. Ferraris, s.v. Officium, III, 18); or c) is not obliged to recite, at least aloud, because this obligation has been fulfilled by turns, either by the celebrant, the readers, etc., in the name of all, according to common custom. Applying this to the case, it is plainly understood that the same holds true when the Bishop is about to solemnly celebrate Mass, following the rite explained above, and attends partly to the canonical hours, partly to the prayers preceding the Mass. For he is present in the choir with which he forms a single entity, or rather, is its liturgical head; and he is materially prevented from reciting the psalms of the hour, because at the same time that these are chanted, he is, according to the Ceremonial, obliged to read from the book the preparatory prayers for the Mass. Furthermore, it would seem superfluous to prescribe in the Ceremonial that the Bishop should begin and end the canonical hour with the choir, if he were prevented by a material omission of the middle part, i.e., the psalms of the said Hour, from fulfilling it. Indeed, this also seems to be excluded by the explicit wording of the Ceremonial, where (I. II, c. VII, n. 7-8) we read: "The Bishop does not usually attend the canonical hours. Only the Third Hour is excepted, which, if the Bishop is to solemnly celebrate, he too should recite." Therefore, the Bishop also recites the Third Hour, provided he recites in the manner mentioned above. But if we consider the other cases, it immediately becomes apparent that some conditions are lacking in order for us to consider the choir to be supplemented. Whenever the Bishop is present wearing only a cope, he is certainly not prohibited from reading from the Breviary; but if he is present in sacred vestments in a pontifical manner, e.g., at Vespers or Lauds, it is indeed incongruous for him to sing or read from the Breviary with the choir, but not to recite privately from the choral book held by the chaplain or the book minister, as in the preparation for Mass; and furthermore, with regard to the Litany, nothing prevents, indeed it contributes to edification,

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if he responds with the clergy and the people, either in public or without a book, as it is customary to see Bishops and even our Fathers walking processionally in the city. Indeed, what is said about the Litany seems to be confirmed by the explicit wording, as we read in the Ceremonial of the Bishop (I. I, c. 18, n. 1): "Others take their example from the Bishop," and in the Ritual (I. IX, c. IV, n. 2), "when the celebrant comes with others, he responds with the same voice." From this, the meaning of the question is clear.

[*Latin ed. p. 480*]

480 Acta Apostolicae Sedis - A commentary: The phrase "which says 'it does not seem appropriate to sing litanies with others in a public procession'" should be expunged; as is evident shortly thereafter, the rubrics of the Caeremoniale Episcoporum prescribe that "only the choir or certain singers should recite the parts of the office," and that the bishop himself should not recite. One passage that is cited, from book I, chapter XX, 4, states: "In Vespers, however, the bishop reads nothing from the book, except the prayer which he sings at the 'end'," and this seems to be misinterpreted, as it more likely indicates that, according to the rite, nothing is prescribed for the bishop to read at that time; or, as others suggest, it implies that the bishop is expected to know the Vespers psalms by heart, and indeed, as we admire in the venerable antiquity (cf. St. Gregory the Great, Epistles, Book V, no. 48, in Migne, P.L., 77, cols. 777, 1090, 1313, 1566; Council of Toledo, a. 656, in Harduin, III, col. 978; Mansi, XIII, col. 158), the entire psalter. It must be conceded that the bishop is not obligated, if, during the recitation, he is occupied with some ceremony connected with the office, to make up for the part that he has omitted out of necessity. Indeed, as the doctors unanimously hold, as testified by Ferraris, in the aforementioned work, "those who are occupied during the public recitation of the office in preparing the books, in anticipating the antiphons or readings... in censing the altar, and the like, are not obligated to repeat what others, who do not hear them or recite, sing or recite, because the choir, to which they belong, makes up for them"; and he gives the reason, in the same place, no. 29, stating: "For what is recited in the choir is the prayer of the entire choir, and therefore, he (who does not hear and does not recite, but is able) who attends and pays attention to the choir, is included." Similarly, St. Alphonsus (Moral Theology, vol. V, part II, book IV, on the state of the clergy, article III, no. 156) writes: "If you have been occupied with something else necessary in the choir, because the entire choir seems to make up for him who is occupied with something pertaining to the celebration of the office, and not only for him, but also in the name of the other ministers" (cf. also Bucceroni, Institutes of Moral Theology, part II, vol. III, edition VI, p. 70). Furthermore, what is true for the other choir members is even more true for the bishop, who liturgically leads the choir.

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Therefore, etc. RESOLUTION. - In the plenary meetings held in the Vatican Apostolic Palace on April 12, 1919, April 16, and July 9, 1921, after careful deliberation, the Most Reverend Fathers of the Sacred Congregation have considered the following questions, formulated as doubts: I. Does a bishop, celebrating a Pontifical Mass, fulfill the obligation of the canonical hours (Terce or None) by reciting the prayers prescribed by the Caeremoniale Episcoporum?

[*Latin ed. p. 481*]

8. The Congregation of the Council, Session 481, II. Whether a Bishop fulfills the respective obligation of the divine Office when he celebrates pontifically at Vespers and Lauds, in processions of the major and minor Litanies, and in other solemn functions, even though, according to the rubrics of the *Caeremoniales Episcoporum*, the choir or certain singers ought to recite or sing the parts of the Office, and not himself; it was judged that the following should be answered: To I. Affirmative. To II. Negative, unless some ceremony, according to the rubrics of the *Caeremoniales Episcoporum*, prevents him. The agreements concerning the above were presented to His Most Holy Lord, Pope Benedict, Divine Providence, by the undersigned Secretary of this Sacred Congregation, in audiences on April 17th and July 10th, 1921, and His Holiness deigned to approve and confirm the resolutions given. I. MORI, Secretary.

SACRED CONGREGATION FOR RELIGIOUS CONCERNING THE CELEBRATION OF A GENERAL CHAPTER IN RELIGIOUS CONGREGATIONS OF DIOCESAN RIGHT.

DOUBTS: The following doubts were proposed to this Sacred Congregation, which is entrusted with the affairs of Religious Societies, concerning the celebration of a General Chapter in a Religious Congregation of diocesan right:

I. Whether the right to determine the place where the General Chapter is to be held belongs to the Ordinary of the house of the principal of the Religious Congregation of diocesan right, which is already spread throughout several dioceses, or rather, to the General Superior?

II. Whether it belongs to the same Ordinary, of whom we spoke in the preceding doubt, to preside over the election of the General Superior, and to confirm her, or to dismiss her; or rather, does this belong to the Ordinary of the place where the election takes place?

Furthermore, Most Eminent Fathers Cardinals, in a plenary assembly held at the Vatican on June 17th, 1921, after careful deliberation, judged that the following should be answered:

[*Latin ed. p. 482*]

482 Acta Apostolicae Sedis - Official Commentary. Regarding I. Negative with respect to the first part, affirmative with respect to the second,

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according to canons 162 and 507. Regarding II. Negative with respect to the first part, affirmative with respect to the second, according to canon 506 § 4. After a report was made to His Most Holy Lord, Our Pope Benedict, by divine Providence, Pope XV, by the Reverend Father, Abbot, Secretary, in an audience on the 25th day of the same month and year, His Holiness approved the decision or response of the Most Eminent Fathers and ordered it to be made public. Given in Rome, from the Secretariat of the Sacred Congregation for the Affairs of Religious Orders and Societies, on the second day of July, 1921. T. H. CARD. VALFRB DI BONZO, Prefect. L. © S. Maurus M. Serafini, Abbot, O. S. B., Secretary. SACRED CONGREGATION FOR THE PROPAGATION OF THE FAITH. DECREE CONCERNING THE ALTERATION OF THE LIMITS BETWEEN THE APOSTOLIC PREFECTURES OF "TEFFÉ" AND "SOLIMÔES SUPERIORIS." The limits of the Apostolic Prefectures of Teffé and Solimões Superioris were established in May of 1910, during the canonical erection of said prefectures. However, significant difficulties have arisen over time between the missionaries of both prefectures due to the aforementioned delimitation of boundaries. Recently, prayers were presented to this Sacred Congregation for the Propagation of the Faith, to which both the Prefect of Teffé and the Superior of Solimões subscribed, so that the boundaries of both Apostolic Prefectures might be temporarily altered, for the relief of the missionaries and for the advancement of the missions. Therefore, the Fathers of this Sacred Congregation, in plenary sessions on the 1st of August, having considered the reasons presented, have decided to...

[*Latin ed. p. 483*]

The Holy Congregation for the Propagation of the Faith appeared to be urging the delimitation of the boundaries of the aforementioned prefectures, and after a careful and prudent examination of the description of the boundaries presented to the two Superiors, they unanimously decided that the boundaries between the Prefecture of Teffé and the other, the Superior Solimões, should be as follows:

1) On the river Solimões, on the right bank, the derivation of the river Solimões, commonly called "parayd do Sevalho"; on the left bank, the stream Envira, which flows from the river Solimões to the stream called Anati pavana, through the river Py Boyuçu, or "the monstrous serpent."

2) To the north of the river Solimões, the division of the waters between the rivers Ica and Solimões, on the part of the Superior Solimões Prefecture, and Iapurá and Anarucú, on the part of the Prefecture of Teffé.

3) To the south of the river Solimões, the division of the waters between the rivers I luruá and lutahy, on the part of the Prefecture of Teffé, and Iavary and Solimões, on the part of the Superior Solimões Prefecture.

The opinion of the Fathers, reported in a hearing on the 8th of the same month of August by the Most Holy Lord N. Benedict, Divine Providence,

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Pope XV, from the undersigned Secretary of this Holy Congregation, was approved in its entirety by His Holiness, and the present decree on this matter was ordered to be drawn up.

Given at Rome, from the offices of the Sacred Congregation, on the 10th of September, 1921.

For the Congregation of the Propagation of the Faith, to the Most Eminent Cardinal Prefect, Father P. FUMASONI-BIONDI, Archbishop, Secretary.

L. © S. Caesar Pecorari, Undersecretary.

II. APPOINTMENT

His Most Holy Lord N. Benedict, Pope XV, by decree of the Holy Congregation for the Propagation of the Faith, on the 9th of August, 1921, appointed the Reverend Father Francis Berré, of the Order of the Friars Preachers, to the Latin Metropolitan Church of Babylonensi.

[*Latin ed. p. 484*]

484 Acta Apostolicae Sedis - Official Commentary III NOMINATIONS. By brief apostolic letters, the following were named: August 22, 1921. — The Abbot of Saint Alexander of Oroshi, located on Mount Miriditarum in Albania, Reverend Father Joseph Gjonali. September 12. — Coadjutor with the right of succession to the Archbishop of Dyrrhachium, Reverend Father Francis Melchiori, of the Order of the Friars Minor. Also, the following were named by decrees of the Sacred Congregation for the Propagation of the Faith: July 8, 1921. — Apostolic Prefect of Korogo, Reverend Father Joseph Diss, from the Lugdunensi Institute for Missions to Africa. August 1. — Apostolic Prefect of the Island of Formosa, Reverend Father Thomas de la Hoz, of the Order of the Friars Preachers.

[*Latin ed. p. 485*]

Diarium Romanae Curiae 485

SECRETARY OF STATE

NOTICE

The Directorate of the "Annuary Pontifical" within the Secretary of State earnestly desires to inform the Most Reverend and Venerable Ordinaries of the dioceses, the prelates' colleges, the General Superiors of the religious orders, the Rectors of the ecclesiastical colleges, and all dignitaries belonging to the Papal Court, that it wishes to transmit to them in a timely manner the reports and corrections necessary for the edition of the "Annuary" for the coming year, 1922, in accordance with the circular letter of the Most Reverend Cardinal Gasparri, Secretary of State, dated July 15, 1915, and the

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specific instructions received at the time of appointments and promotions.

APPOINTMENTS

By a letter from the Secretary of State, the Holy Father has deigned to appoint:

August 31, 1921.

The Most Reverend Cardinal Michele Lega, Protector of the Archconfraternity of St. Anthony of Padua, in Santa Lucia dei Ginnasi, of Boma.

By Apostolic Briefs, the Holy Father has deigned to appoint:

Domestic Prelates of His Holiness:

June 25, 1921.

Most Reverend Monsignor Giuseppe Kaup, of the diocese of Belleville.

Most Reverend Monsignor Giuseppe H. Schlarman, of the same diocese.

Most Reverend Monsignor Carlo Gihnartin, of the same diocese.

Most Reverend Monsignor Andrea Ianiszewski, of the same diocese.

Most Reverend Monsignor Guido Garelli, of the archdiocese of Turin.

Most Reverend Monsignor Antonino Chionna, of the archdiocese of Ostuni.

Most Reverend Monsignor Pietro Scarponi, of the diocese of Macerata.

Most Reverend Monsignor Stefano El-Khazen, of the archdiocese of Tolemaide of the Maronites.

[*Latin ed. p. 486*]

486 Acta Apostolicae Sedis - Commentarium Officiale, August 26, 1921.

Most Reverend Anthony Crippa, of the Archdiocese of Milan.

29 " " Most Reverend Joseph Miglior, of the Archdiocese of Cagliari.

September 2 " Most Reverend Peter Joseph Villalonga, of the Archdiocese of Santiago de Cuba.

September 9 " Most Reverend Anthony Rotondi, of the Archdiocese of Ravenna.

September 10 " Most Reverend Robert Puccini, of the Diocese of Pistoia.

September 16 " Most Reverend Sebastian Calcila, of the Archdiocese of Brindisi.

" " Most Reverend Vincent Memmola, of the same Archdiocese.

HONORS: With Apostolic Briefs, the Holy Father deigned to bestow the following honors:

The Order of Saint Gregory the Great, civil class, with plaque:

May 13, 1921. To Mr. Enrico Esders, of the Archdiocese of Malines.

August " To Mr. Kesseruan El-Khazen, Governor of Lebanon.

The Order of Saint Gregory the Great, civil class:

August 12, 1921. To Mr. Baron Luigi Barracco, of the Diocese of Cotrone.

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August 17 " To Mr. Albert Poche, of Aleppo.

August 25 " To Mr. Knight Hovannes Bey Matossian, of the Patriarchate of Cilicia of the Armenians.

August 29 " To Mr. Peter Theodore Hubert Maria Dobbelmann, of the Diocese of Bois-le-Duc.

September 17 " To Mr. Knight Alfonso Zappata, of the Archdiocese of Turin.

The Knighthood of the Order of Saint Gregory the Great, civil class:

May 15, 1921. To Mr. Edoardo Mény, of the Diocese of Saint-Dié.

June " To Mr. Lawyer Daniele Me Glynn, of the Diocese of Belleville.

" " To Mr. Doctor Bonaventura Portuondo, of the same Diocese.

August " To Mr. Anthony Christopher Van De Ven, of the Diocese of Bois-le-Duc.

August 27 " To Mr. Adrian James John Vos, of the Diocese of Harlem.

August 29 " To Mr. John P. Dinan, of the Diocese of Detroit.

" " To Mr. Michael T. Dinan, of the same Diocese.

August 31 " To Mr. John Moruzzi, of the Archdiocese of Bologna.

" " To Mr. Umberto Farne, of the same Archdiocese.

September 2 " To Mr. Edoardo Servais, of the Diocese of Tournai.

[*Latin ed. p. 487*]

Diarium Romanae Curiae 487, 2 September, 1921. To the Reverend Doctor Edoardo Giorgio Giuseppe Antonio Maria Wirsing, of the diocese of Breslau. To the Reverend Doctor Giuseppe Rotter, of the same diocese. To the Reverend Augusto Roberti-Percy, of the diocese of Liegi. To the Reverend Ovidio de Saint-Aubin, of the archdiocese of New York. The Commandery of the Order of St. Sylvester: 20 August 1921. To the Reverend Cavaliere Luigi Tosti (Rome). To the Reverend Pio Philipona, a Swiss journalist. 17 September. To the Reverend Pier Vincenzo Bellia, of the archdiocese of Turin. The Knighthood of the Order of St. Sylvester: 24 August, 1921. To the Reverend Giuseppe Seraiter (Rome). To the Reverend Francesco Sabatini (Rome). To the Reverend Riccardo Costantini (Rome).

THE PAPAL HOUSEHOLD: BY ORDER With tickets from His Eminence, the Reverend Monsignor, the Holy Father has deigned to appoint:

Extraordinary Secret Chamberlains to His Holiness: 21 June 1921. Monsignor Andrea Lago y Cizur, of the diocese of Havana. 18 August. Monsignor Giuseppe Bouzek, Vice-Rector of the Bohemian College in Rome. 22 August. Monsignor Otto Mueller, of the archdiocese of Colonia. 10 September. Monsignor Giovanni Ferraro, of the diocese of Ivrea. Monsignor Carlo Veneziani, of the diocese of Piacenza. Monsignor Carlo Fissóre, of the archdiocese of Turin. 12 August. Monsignor Teodoro Caiulo, of the archdiocese of Brindisi. Monsignor Giuseppe Rodríguez Madeira, of the diocese of

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Coimbra. Monsignor Giuseppe Focardi, of the diocese of Fiesole. 16 August. Monsignor Alberico Andrioli, of the diocese of Verona.

Extraordinary Secret Chamberlains with Sword and Cape to His Holiness: 10 September 1921. The Reverend Count Carlo de Spee, of the archdiocese of Colonia. 19 August. The Reverend Count Carlo Guiglia, of the archdiocese of Genoa. 22 August. The Reverend Giovanni Lonergan, of the archdiocese of Philadelphia.

[*Latin ed. p. 488*]

488 Acta Apostolicae Sedis • Official Commentary. Honorary Chamberlains in peacock blue attire of His Holiness: June 11, 1921. Monsignor Frederick Buus, of the diocese of Limburg: ″ ″ ″ Monsignor Carlo Knödgen, of the same diocese. September 12: Monsignor Giulio Sánchez Ibañez, of the diocese of Santander. ″ ″ ″ Monsignor Mario Sardo, of the diocese of Acireale. September 22: Monsignor Colomanno Gonczlik, of the archdiocese of Kollotschau. ″ ″ ″ Monsignor Mattia Pài, of the same archdiocese. September 23: Monsignor Vittorio Cavagnis, of the diocese of Bergamo. Honorary Chamberlain of Sword and Cape, extraordinary, of His Holiness: September 6, 1921. Mr. Commissioner Francesco Saverio Seganti (Rome). NECROLOGY: September 23, 1921. The Most Reverend Cardinal Augusto Renato Dubourg, Archbishop of Rennes.

[*Latin ed. p. 489*]

Year XIII - Vol. XIII, November 2, 1921, No. 13. OFFICIAL COMMENTARY. DECREE OF BENEDICT. CONSTITUTION OF HIS HOLINESS, NUMBER XV, CONCERNING THE ERECTION OF A CHAPTER IN MONTIVIDEO. BENEDICT, BISHOP, SERVANT OF THE SERVANTS OF GOD, FOR THE PERPETUAL COMMEMORATION:

Wishing to promote the greater dignity and honor of his metropolitan church, the Ordinary of Montivideo recently requested that a Chapter be established, consisting of one dignity, two offices, and seven canonries, so that the capitulars, although few in number, would be sufficient to bear the burdens and provide assistance, numbering only ten in all; since, at present, both priests and assistance are lacking. We, having heard the report of the venerable brother Cardinal, Secretary of the Sacred Congregation Consistorial, and having carefully considered all matters, and having taken into account the favorable votes of the venerable brother, the present Apostolic Nuncio in the Republic of Strasbourg, we have graciously approved the request. Therefore, by the fullness of our Apostolic authority, and supplementing, as necessary, those who may be lacking and who will participate in the work with their consent, we erect and declare erected a Chapter in the metropolitan church of Montivideo, consisting of one dignity, two offices, namely the penitentiary and the theological, and seven canonries, so that the capitulars number ten, notwithstanding the lack of benefices,

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and we limit the choral service to the minor hours only on those days when pontifical services are held; and we maintain the firm status of the parish of the same metropolitan church, until the Chapter is endowed with a suitable endowment. ACTA, vol. XIII, no. 13. - November 2, 1921.

[*Latin ed. p. 490*]

490 Acta Apostolicae Sedis - Commentarium Officiale. It has not been provided, nor has the Apostolic See established, any regulation concerning the care of souls within the same metropolitan church of Chiesanuova. Considering the aforementioned capitular decrees, which are currently in effect, for the greater adornment of the church and the splendor of divine worship, we benignly grant that, in sacred ministrations and within the boundaries of the archdiocese, they may use the *rochetto* and the violet *mozzetta*; and the violet color shall also be reflected in the sleeves of the *rochetto* and in the fringes of the *biretta*. Furthermore, we grant that, for this occasion only, the venerable brother John Francis Aragone, the present Archbishop of Montevideo, may, without the need for any other letters, canonically confer the Dignity, as well as offices and canonries; however, in future vacancies, the conferral of the Dignity shall remain reserved to the Apostolic See, while the remaining benefices shall be conferred through the proper legal channels. Moreover, whatever has been decreed by Us in these letters, with Apostolic authority, it is not permitted to any person, at any time, to infringe, or to oppose, or in any way to contradict. If anyone, may God prevent it, should presume to attempt this, let him know that he will be subject to the penalties prescribed by the sacred canons concerning the exercise of ecclesiastical jurisdiction. For the execution of these matters, we entrust the venerable brother Albert Vassallo de Torregrossa, titular Archbishop of Hemsen and Apostolic Nuncio in the Republic of Argentina, with the necessary and appropriate powers, including the power to delegate, to any person holding an ecclesiastical dignity, for the purpose of what is mentioned above, and to definitively pronounce judgment on any difficulty or opposition that may arise, obliging him to send to the Sacred Congregation Consistorial, within six months, a duly authenticated document confirming the completion of the execution. Finally, we decree that these present letters shall be valid, notwithstanding any contrary provisions, even those deserving of special and explicit mention. Given at Rome, at Saint Peter's, in the year of Our Lord nineteen hundred and twenty-one, on the seventeenth day of the month of June, in the seventh year of Our Pontificate.

C. CARD. DE LAI, Bishop of Sabina.

Secretary of the Sacred Congregation Consistorial.

Raphaël O. Virili, Cardinal.

B. E. Cancellarius.

Protonotarius Apostolicus.

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Leopoldus Capitani, Reg. Subst. ex spec. deleg.

Loco Plumbi.

Beg. in Cane. Ap., vol. XXIV, n. 8.

[*Latin ed. p. 491*]

Acta Benedicti PP. XV 491. *LITTERAE* Apostolicæ. A *VICARIATU* Apostolicō *NATALENSI* separatur pars territorii ad meridiem vertens, in eaque erigitur *VICARIATUS* Apostolicus de Mariannhill, descriptis sedulo confiniis.

BENEDICTUS PP. XV. Ad perpetuam rei memoriam. — Ex hac Principis Apostolorum cathedra, tamquam ex sublimi specula, in omnes, vel longo terrarum marisque spatio dissitas, catholici orbis regiones, oculos mentis Nostrae convertimus, et quae rei sacrae procurationi melius gerendae faciant longinquis illis in plagis, ea sollicito studio decernere maturamus.

Iam vero, cum opportunum visum sit consilium, ut in ea Africae meridionalis regione ubi actualis *VICARIATUS* Apostolicus *NATALENSI* exsistit, quo uberiores valeant proferri fructus in evangelizandis praesertim aborigenis, ab eodem *NATALENSI* *VICARIATU* nimis amplo certa quaedam territorii pars seiungatur in separatum novum *VICARIATUM* Apostolicum erigenda, Nos, omnibus rei momentis attente perpensis cum VV. FF. NN. S. R. E. Cardinalibus negotiis Propagandae Fidei praepositis, haec quae infrascripta sunt statuenda censuimus.

Nimirum a *VICARIATU* Apostolico *NATALENSI*, Apostolica Nostra auctoritate, praesentium vi, separamus eam territorii plagam quae ad meridiem vertit, ubi iamdiu missionarii emona sterio de Mariannhill adlaboraverunt, in eaque plaga sic separata novum Apostolicum *VICARIATUM* de Mariannhill appellandum constituimus.

Novus autem hic *VICARIATUS* sequentibus confiniis, a mariore litore Basutoland versus, a *NATALENSI* *VICARIATU* separetur. Scilicet districtus de Durban, prope mare, *NATALENSI* *VICARIATUI* relinquatur; proximi vero districtus de Richmond ea pars novo *VICARIATUI* tribuaturquae est ad meridiem fluminis Umlaas; inde a puncto ubi dictum flumen Umlaas primas scaturigines habet, limes per lineam rectam procedat ad confinia districtus de Pietermaritzburg; exinde vero meridionalia confinia eiusdem districtus de Pietermaritzburg ac postea confinia septentrionalia districtus de Impendechle utrumque *VICARIATUM* dividant.

Tandem fines extremi ad meridiem spectantes a flumine Kei (Kei River) constituantur, ita ut tota illa pars provinciae de Capo, quae Kaffraria dicitur, novo *VICARIATUI* adiungatur. Praeterea novo *VICARIATUI* pertinebit statio de Mariannhill intra fines *VICARIATUS* *NATALENSI*, in

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quadomus princeps exsistit Congregationis.

[*Latin ed. p. 492*]

Acta Apostolicae Sedis - Official Commentary on the Mariannhill Missionary endeavor. We hereby declare, by the same Apostolic authority, that this new apostolic vicariate of Mariannhill shall be entrusted to the care of the Religious missionaries of the Mariannhill Congregation. We decree that these present Letters shall always remain firm, valid, and efficacious, and shall fully and completely produce and obtain their intended effects, and that they shall fully support and be of full force for those to whom they pertain, now and in the future, and that it shall be duly judged and determined, and that anything to the contrary, attempted by anyone, knowingly or unknowingly, shall be declared void and of no effect from this moment forward. Notwithstanding any contrary provisions. Given at Rome, near Saint Peter's, under the Fisherman's ring, on the seventh day of September, in the year 1921, in the eighth year of Our Pontificate. P. CARD. GASPARRI, Secretary of State.

II. THE BASILICA MINOR IS CONFERRED UPON THE CATHEDRAL TEMPLE OF MONOPOLI. BENEDICT XV, for the perpetual memory of the matter. — Among the most sacred buildings of Apulia, the cathedral temple of Monopoli deserves to be especially mentioned, having been founded in the beginning of the 12th century by the holy Bishop Romuald, and embellished with magnificent works of art. There, the ancient religion of the people is preserved, and the image of the Virgin, renowned for miracles, depicted on wood, is celebrated. It is said that, while the sacred building itself, constructed of brick, lacked a certain part due to the absence of wooden beams, a large quantity of wood was brought from the forest near the city, and then successfully transported to the temple, and the Virgin of Monopoli received that name. Benedict PP. XIII, of blessed memory. Our predecessor enriched the same cathedral church with several indulgences, and the image of the Virgin was crowned with a golden diadem in the year 1769. This year, we, taking advantage of the occasion of the celebration of the eight hundredth anniversary of the prodigious event mentioned above, held solemn festivities, graced by the presence of Our Purpurate Legate: and now, when the venerable Father Augustine, expressing the sentiments of himself and of the entire Chapter of Monopoli, has earnestly implored Us to deign to elevate the same temple to the rank of a minor basilica, we have readily and willingly agreed to this request. Therefore, by Our Apostolic authority, and with the force of the present document, for all time, the cathedral...

[*Latin ed. p. 493*]

From the time of Pope Benedict XV, in the year 1743, the church of Monopolitano, dedicated to the Virgin Mary of Madia, for the glory of God,

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was promoted to the dignity of a minor basilica, with all the privileges and honors that are rightfully due to the venerable basilicas of this city. We hereby decree that these present letters shall always remain firm, valid, and effective, and shall fully and completely produce their intended effects, and shall most abundantly support and benefit those to whom they pertain, now and in the future; and it shall be rightly judged and defined, and shall be declared void from this moment and forever, if anything contrary to these should be attempted by anyone, knowingly or unknowingly, with any authority whatsoever. Notwithstanding any contrary provisions. Given in Rome, at Saint Peter's, under the Fisherman's ring, on the eighth day of October, 1921, in the eighth year of Our Pontificate. P. CARD. GASPARRI, Secretary of State.

OUR LADY OF MIRACLES CHURCH IN THE TOWN OF MAURIAC, DIOCESE OF SAINT-FLOUR, IS ELEVATED TO THE TITLE AND DIGNITY OF A MINOR BASILICA.

POPE BENEDICT XV.

For the perpetual memory of this event.

It is well known that the church of Our Lady of Miracles, located in the town of Mauriac, which is one of the most important towns in the diocese of Saint-Flour in France, is rightfully and deservedly among the most important sanctuaries due to its antiquity and nobility. Built in the sixth century by the munificence and piety of Saint Theodechild, daughter of King Clovis and Saint Clotilde, and rebuilt again before the middle of the tenth century and adorned with marvelous works of art, it earned the title of "Chapel of the Kings of France" from King Louis "the Gross."

The ancient image of the Blessed Virgin Mary of Miracles, which is venerated there with great piety, was redeemed with a golden diadem by Pope Pius IX, Our Predecessor, in the year 1855, and remains to this day a singular monument of the devotion of the inhabitants and of pilgrims who come from distant regions, especially in the month of May, when the Marian feast is solemnly celebrated on the ninth day, preceded by novena prayers.

This sacred edifice, which is splendid with its rich and abundant furnishings, enjoys a devoted clergy and a faithful people, and is the site of frequent religious services; all of which, along with apostolic privileges...

[*Latin ed. p. 494*]

494 Acta Apostolicae Sedis - The official commentary adds to the graces, laws, indulgences, and other spiritual benefits, greatly contributing to the majesty and splendor of the divine worship. Indeed, when the beloved son, John Baptist Borderie, canon of honor and parish priest of the aforementioned archpresbytery, having expressed the common desires of the

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clergy and people of the aforementioned city, presented to us, through the most ample commendation of the Bishop of Saint-Flour, the prayers of the community, so that we might deem it fitting to adorn the aforementioned church with the title and dignity of a minor basilica, we, recognizing that the very edifice is worthy of all such honors, readily and willingly acquiesced to these requests. Wherefore, after having consulted with the Most Reverend Fathers, Cardinals of the Congregation for Sacred Rites, by our Apostolic authority, and by the force of these presents, perpetually and without end, we elevate the church of the Blessed Virgin Mary, known for its miracles, located in the city commonly called Mauriac, in the diocese of Saint-Flour, to the title and dignity of a minor basilica, granting to it all the honors and privileges that rightfully belong to the minor basilicas of this Holy City. We decree that these presents shall always remain valid and effective, and shall fully and completely produce their intended effects, and shall, for those to whom they pertain, or who may pertain to them, now and for all time, provide the fullest support; and that they shall be duly judged and defined, and shall be declared null and void from this moment and forever, if anything to the contrary should be attempted by anyone, knowingly or unknowingly, with any authority whatsoever. Notwithstanding any contrary provisions. Given at Rome, at Saint Peter's, under the Fisherman's Ring, on the 20th day of October, 1921, in the eighth year of Our Pontificate. P. CARD. GASPARRI, Secretary of State.

LETTER I TO REVEREND FATHER FRANCIS EHRLE, S.J., CELEBRATING SIXTY YEARS IN RELIGIOUS LIFE: CONGRATULATING HIM ON HIS MERITS IN THE CHURCH AND IN LETTERS.

Beloved son, greetings and the Apostolic Blessing. — It has recently been brought to our attention that the anniversary is approaching, on which, sixty years ago, you happily embraced religious life in the pious Society of Jesus. We have, therefore, experienced great joy. For the divine mercy, which is clearly evident in you and not less pleasing, has accompanied you throughout this long journey, bestowing abundant gifts of grace.

[*Latin ed. p. 495*]

495 The Acts of Pope Benedict XV, by the grace of God. They declare that you have faithfully responded to the supreme kindness of God, both through the complete practice of monastic life, the cultivation of good letters, and above all, the study of sacred disciplines, to which you have always applied yourself with diligent zeal. Here it is fitting to remember the service you rendered for many years, with such prudence, counsel, instruction, in the management of the Apostolic Library. In fulfilling this office, you have earned singular praise, not only having performed the duties of the presidency with great diligence, but also through numerous published works which are not less distinguished for their erudition than for their gravity and unity. No one is ignorant of your industry and labor

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in the best preservation of books, especially those written by hand, and in rescuing them from near destruction. You have never failed to offer counsel, encouragement, exhortations, and guidance to many learned men, even non-Catholics, to investigate and disseminate the treasures of knowledge hidden in the Vatican Library, as if gold in the earth. The Vatican codices published by you; the careful editions of ancient descriptions of the City; and finally, many other writings, which we have learned and understood from the most learned men, concerning matters pertaining to the Library, and especially concerning the history of the same Library, are known to us. All these things, and many others merited in the service of religion, are a source of pleasing joy to us as we remember them. Therefore, be of good cheer, and accept our praise, and we wish to add a testimony of our paternal charity, having obtained a favorable opportunity, and earnestly praying for heavenly gifts for you, to which we impart to you, our beloved son, our most heartfelt apostolic blessing in the Lord. Given in Rome, at St. Peter's, on the 19th day of September, 1921, in the eighth year of Our Pontificate. BENEDICT XV.

To the Most Reverend James Ogier, Intimate Confidant, and also Moderator of the Society "For the Holy See, Above the Pope and the Church": Offering Thanks for the Petrine Foundation, Rejoicing in the Growth of the Pious Union.

Beloved son, greetings and our apostolic blessing. — You recently presented to us a new and equally outstanding document of faith and obedience, when, also in the name of this Society, to which you so diligently and honorably serve.

[*Latin ed. p. 496*]

496 Acta Apostolicae Sedis - With due prudence, I have received your letter, together with the contribution from Peter, filled with joy and love, and sent with pious intention. You announce that the number of members, both clergy and laity, has increased in the past year, so that the joy may be magnified; and furthermore, that the annual feast of the Pope, which has been established for you, is now celebrated not only by the members, but by Catholics of all kinds and ranks in many places, especially in Italiam. It is scarcely possible to express how grateful and pleased we are by all of this. Indeed, while some, puffed up with a deceptive science and, as they claim, with a spirit of independence, despise or neglect the legitimate authority of the Church, it is certainly fitting that certain chosen men from the clergy and the people, as if in a united body, should excel in open profession of sound doctrine and in obedience to the Vicar of Jesus Christ, as an example. Therefore, we commend you with due praise for your singular dedication to the Pope and the Church, and we are deeply grateful for the help which you are accustomed to offer to our common Father, so that so many works of faith and charity may be sustained throughout the entire Catholic

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world. Indeed, as we are accustomed to propose a new objective or program to you each year, we now commend this to you with great enthusiasm. As you know, next year will mark the completion of three centuries since the establishment of the Opera Propagandae Fidei in Urbe, and the first century since the founding of the Domus Missionibus exteris in Lugduni. Therefore, this sacred cause of missions should be especially promoted by you. Strive that all may understand how difficult and arduous is this labor and struggle of missionaries for the glory of God and for the salvation of souls, and how necessary it is that they be aided in every way, not only through prayers offered to God for them, and through contributions, but also by seeking as many other members as possible to join this work. Thus, you will continue to merit well in the eyes of the Catholic world and of civil society, under the guidance of the Supreme Pontiff, whose example you have particularly undertaken to follow. We, in turn, receive your piety with paternal affection, and we eagerly await the abundant fruits that we expect from you in this field as well, and we impart to you, dear son, to the national and local directors, and to all your members, both clergy and laity, our apostolic blessing, the heavenly auspices of our favor. Given in Rome, at St. Peter's, on the twentieth day of the month of October, in the eighth year of Our Pontificate. BENEDICTUS PP. XV.

[*Latin ed. p. 497*]

497 The Holy Congregation Consistorial, ACTA of the Holy Congregations, SACRED CONSISTORIAL CONGREGATION, of Lublin and Podlachia, DECREE concerning the alteration of diocesan boundaries.

The faithful of the village of Kopina, belonging to the parish of Wereszczyn and to the diocese of Podlachia, being situated at a considerable distance from their own parish church, have petitioned the Ordinary of Lublin, with the consent of the Most Reverend Bishop of Podlachia, to be aggregated to the parish church to be erected in the place of Cyców, in the diocese of Lublin, which is not far from them.

Furthermore, the Most Holy Pope Benedict XV, graciously receiving these petitions, has decreed, by the present consistorial decree, that the village of Kopina be separated from the parish of Wereszczyn and from the diocese of Podlachia, and be permanently united to the parish church to be erected in the place of Cyców, in the diocese of Lublin, and that the diocesan boundaries be likewise altered accordingly.

To carry out these matters, His Holiness has appointed the Reverend Father Dominus Marianum Leon Fulman, Bishop of Lublin, granting him the necessary and appropriate powers for this purpose, including the power to delegate any person holding an ecclesiastical office to carry out the aforementioned task; and he is charged with sending an authentic copy of the completed execution to this Holy Congregation within six months.

All contrary decrees to the contrary notwithstanding.

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Given at Rome, from the offices of the Holy Congregation Consistorial, on the 22nd of October, 1921.

[Signature] C. CARD. DE LAI, Bishop of Sabina, Secretary.

[Signature] I. B. Rosa, Substitute.

[*Latin ed. p. 498*]

498 Acta Apostolicae Sedis - Official Commentary II

PROVISIONS FOR CHURCHES

His Most Holy Father, Pope Benedict XV, by decrees of the Sacred Congregation of the Consistory, has provided the following churches with individual pastors, namely:

September 23, 1921: He appointed the Reverend Joseph Pétrone, a priest of the archdiocese of Naples, as the Archpriest of the cathedral church of Puteoli, granting him the title of Urban.

September 30: He appointed the Reverend Paschal Gioia, a priest of the Somascan Congregation, as the Archpriest of the united cathedral churches of Melphicta, Juvena, and Terlizzi, and as the parish priest of the church of Saint Martin in Velletri.

October 14: He appointed the Reverend Father James Sereggi, formerly the Archbishop of Scodra, as the titular Archbishop of the Archiepiscopal Church of Cizycena.

SACRED CONGREGATION OF THE COUNCIL

CONCERNING THE HUNT

On June 11, 1921, the Ordinary of Gnesen presented the following to the Pontifical Commission for the authentic interpretation of the canons of the Code, in a suppliant letter:

"On the occasion of the practice of hunting by my diocesan clergy, certain abuses have unfortunately been introduced over time. My predecessor issued a decree in which he permitted hunting only on the territory belonging to the parish priest. But since the abuses did not cease, the clergy participated in scandalous hunts, and in one such hunt, a priest unfortunately seriously injured a person. Therefore, the then Vicar Capitular forbade hunting to the clergy under penalty of immediate suspension. Despite this, some priests hunt without having this permission, claiming that the Bishop has no right to totally prohibit hunting, and relying on the Code,

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which states in canon 138: *venationes*..."

[*Latin ed. p. 499*]

The Holy Congregation of the Council, 499, "that they may not indulge in hunting, but certainly never practice clamorous hunting." For the purpose of "removing these doubts, I beg the Pontifical Commission for the interpretation of the Canon Law to answer me, whether the Bishop has the right to prohibit hunting for the clergy under pain of suspension, incurred immediately, even if this hunting were not a clamorous hunt."

Indeed, the same Pontifical Commission presented the matter to this Holy Congregation for the resolution of the aforementioned doubts, as it concerned rather the application than the interpretation of the canons.

OBSERVATIONS. - It seems to us that this doubt should be answered with a distinction. For not only clamorous hunting, but also quiet, yet frequent, hunting is forbidden to the clergy by common law, according to canon 138 of the Code, which expressly prohibits them "from indulging in hunting, [but certainly never practicing clamorous hunting]." Reiffenstuel, *Ius can.*, book 5, title 24, no. 6: "With these rights, any hunting is undoubtedly forbidden to the clergy; quiet and moderate hunting, rarely practiced, is permitted by the aforementioned, certainly at least clamorous and noisy hunting, and also quiet hunting, but practiced too frequently, will be forbidden."

It does not seem to be denied to the Bishop the faculty of prohibiting his clergy from even quiet and moderate hunting, whenever it is rarely practiced, especially if this is demanded by the customs of the people, lest scandal be caused, as has happened, for example, in England, Germany, France, and in some regions of Italy. For the Code has not given to the clergy in the aforementioned canon any positive permission to hunt, but merely forbade clamorous and excessively frequent hunting. Therefore, a Bishop who would forbid even hunting practiced less frequently would not offend any positive permission of the Code.

Indeed, the matter concerns what manifestly pertains to the chapter on the life and honesty of clerics, which is usually and ought to be more strictly regulated by the decrees of the Bishop. Hence, St. Charles Borromeo, in his provincial council of the year 1565, part 2 (Acts of the Church of Milan, part 1, page 19), speaking of clerics, absolutely said: "They must abstain from hunting." And the provincial council of Cologne of the year 1860, page 151, decreed concerning clerics: "We warn you again and again to abstain entirely from hunting." And Benedict XV, in *De syn. dioec.*, book 11, chapter 10, no. 9, reports that "in some synods, any hunting is forbidden among the clergy; in others, only clamorous hunting; in some, they are forbidden from hunting only on feast days; in others, they are allowed to hunt on any day without the Bishop's permission; in some places, they are deterred from hunting by the penalty of suspension; in others, only

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by a monetary penalty"; and he concludes, no. 10: "It cannot be said that a synodal constitution is marked by excessive severity, which forbids clerics, especially those of the higher orders and those holding ecclesiastical benefices, from practicing hunting. For indeed, a constitution is only reprehensibly severe..."

[*Latin ed. p. 500*]

500 Acta Apostolicae Sedis - Official Commentary, to which "the sanctions of common law and the authority of Saint Charles Borromeo" are appended. Furthermore, the Reverend Wernz, in *Ius Decret.*, II, n. 214, V, states: "It is undoubtedly the right of Bishops to enact diocesan statutes... to absolutely prohibit their clergy from hunting, provided that excessive severity is avoided in the imposition of penalties." Regarding the penalties to be imposed on clerics who illegally hunt, it is known that, according to chapter 1, concerning the cleric who hunts, taken from the Council of Agde in the year 506 (and not from the Council of Orleans, as is read in the Decretals of Gregory IX), clamorous and frequent hunting was forbidden under the penalty of suspension, for the Bishop for three months, for the priest for two months, and for the deacon from all office. However, – as the Reverend Berardi observes – it appears that these penalties have fallen into disuse in the text of the Council of Agde, concerning gladiatorial hunting, which takes place in the arena, and moreover, the Council of Trent, session 24, chapter 12, on reforms, commanded that clerics "abstain from illicit hunting..." without providing any penal sanction for this prohibition. Even the current Code does not impose any penalty on clerics who illegally hunt. Notwithstanding these considerations, it does not seem to prohibit the Bishop from imposing penalties on such clerics, since this is not contrary to, but rather in accordance with, common law; and there is no doubt that the Bishop can provide a penal sanction to canons that prohibit under no defined penalty (cf. canon 2221). However, according to the prescription of canons 2218 § 1, when imposing penalties, "an equitable proportion must be maintained with the offense, taking into account imputability, scandal, and damage." Therefore, Santi-Leitner, in *Praelect. iuris can.*, vol. 5, page 164, reminds us: "The Bishop should beware of excessive severity, especially for the first offense, and should not impose excommunication *latae sententiae* or deprivation of clerical privileges on clerics who hunt." Thus responded the Sacred Congregation in Assisi on March 16, 1622, in Gubbio on January 16, 1669, and in many other similar cases reported by Lucio Ferraris, *Bibl. can.*, v. Clericus, art. 6, n. 35. Therefore, it would seem that the Bishop could indeed punish clerics who engage in clamorous and tumultuous hunting with suspension *latae sententiae* from divine offices, both because this hunting is strictly and absolutely prohibited to clerics by those words of the canon: "they shall never engage in clamorous hunting," and because such hunting is entirely unbecoming of the clerical state,

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especially due to the grave danger of killing or mutilation. Conversely, it would seem sufficient to impose a suspension *ferendae sententiae* from divine offices on clerics who engage in quiet and frequent hunting, since this hunting is less strictly prohibited to clerics by those words: "hunt-".

[*Latin ed. p. 501*]

501 The Holy Congregation of the Council has decreed that indulgences should not be granted [for hunting], and in each case, an inquiry must be instituted regarding the frequency or infrequency of the hunt undertaken. Finally, a quiet and moderate hunt, which occurs rarely, for reasons of necessity, utility, or even relaxation of the spirit, does not seem to merit such a penalty as would imply mortal guilt, unless it is asserted that each individual act of quiet hunting contains [such guilt]; but rather, penal remedies or penitences, as established by canons 2306 and 2313, should suffice. For the case concerns hunting which is licit in itself and is prohibited only accidentally, especially for the sake of scandal to the faithful. Wherefore, etc. - Furthermore, concerning a doubt conceived in this form: "Can a Bishop prohibit his clergy from hunting, even if not clandestine, under penalty of suspension incurred by the very act?" The Most Reverend Fathers of the Sacred Congregation, in their plenary meeting on June 11, 1921, judged that the answer should be: "No, unless there are grave and special reasons." RESOLUTION. The following day, after consideration of the foregoing, the Most Holy Lord, our Father, Benedict, Divine Providence, Pope, received a report through the undersigned Secretary of the Sacred Congregation, and His Holiness deigned to approve and confirm the resolution. I. MORI, Secretary. II. DIOCESE N. CONCERNING OFFERINGS FOR MASSES. On July 9, 1921, the following occurred in the Diocese of N.: Due to insistent solicitations, even importunate ones, for the singing of Masses, the priests attempt to satisfy the offerers in three ways, who are distressed that the Masses offered by them are not accepted, or are sent elsewhere. Indeed, with the consent of the offerers, either: a) for several Masses to be sung, a single, more solemn Mass is sung in the parish church for united intentions, while the other Masses are sent elsewhere for the same united intentions to be read, the money being paid according to the diocesan tariff. Therefore, a larger portion of the offerings is added to that single Mass sung, so that, according to the report of the Bishop, the celebrant and the assistants...

[*Latin ed. p. 502*]

The Acts of the Apostolic See - Official Commentary 502, truly, offer an opportunity to enrich [the offerings], especially since often much more than the set amount is given by the donors. Or b) one solemn Mass is sung in the parish church for all received intentions, to which is added the diocesan fee for sung Masses, and the remaining money is given to pious works. Or c) one Mass is sung without solemnity, for combined intentions,

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with the fee taken according to the diocesan fee, and the remaining money is allocated to good works. The Bishop objects to the first method, citing the danger of avarice; to the other two, the suppression of many Masses, and the uncertain quality of the works to which the money is destined. However, he objects to all methods the coercion, as it were, that the donors seem to undergo, even when they give their consent. Therefore, he proposes that this method of combining multiple intentions should be completely abandoned, but rather, as many Masses as were requested should be said, performed, and accepted by the donors, with the fees divided in such a way that even Masses that are read instead of sung, if they should have been sung, enjoy, in proportion, a higher fee. Furthermore, the aforementioned H. S. G. proposes to resolve these doubts: "1. Whether it is permissible, 'with the consent of the donors, to combine two or more intentions of sung Masses, so that one sung Mass is celebrated for a united intention in the church of the donors, while the others are given to external priests to be read for a united intention.' "2. Whether it is permissible, with the consent of the donors, to combine two or more sung Masses in such a way that only one Mass is sung (with greater solemnity) for an intention composed of the offerings, for which the fee is taken according to the diocesan fee, and the remainder is spent on pious works."

OPINION OF THE CONSULTOR. - The following principles should be applied:

a) No one is permitted to accept obligations for Masses if they cannot fulfill them within the due time in the manner that is tacitly promised upon acceptance. This is forbidden by natural justice itself, the prescription of which must be carefully distinguished from the positive rule established by canon 835.

b) As many Masses as the fees given and received are, so many Masses must be said (canon 828).

c) When manual Masses are transferred, the alms received must be transmitted in full, unless the donor expressly permits something to be retained, or it is certain that the excess above the stated fee was given with the intention of benefiting a particular person (canon 840 § 1).

d) It is permissible to accept a larger fee offered voluntarily (canon 832).

[*Latin ed. p. 503*]

Sacred Congregation of the Council, 503 e) The offerer may consent to a change in the agreement, provided that he himself is the owner of the thing, and is not, for example, bound by the will of a testator as an heir or executor; and when it is a matter of waiving a right, he must consent entirely freely.

II. Judgment, based on the practice described:

a) If these arrangements are proposed to offerers for Masses already

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accepted, the priests have sinned imprudently against the principle mentioned in section a) above. Nor does the subsequent consent of the offerers seem to be sufficiently free from a certain moral coercion, which is altogether illicit.

b) If, however, these arrangements are proposed in the very first discussion, it is not permissible to add a fee beyond the appropriate diocesan rate for a sung Mass, whether simple or solemn; for a higher fee is clearly excessive. However, the conversion of fees into other pious works seems permissible, provided that it is done sincerely, and the offerer is truly the master of his alms.

Therefore, if a formal answer were to be given to these questions, based solely on the law, it would seem that the following should be answered:

To I. Affirmative, provided that:

a) A fee is paid for a sung Mass equal to that received for a single sung Mass, with an additional amount, if the solemnity is greater, which is defined by the diocesan rate or local custom.

b) A fee is paid for a Mass read according to the diocesan rate.

c) The offerer is reimbursed for any amount paid above the rate for a sung Mass, unless it was a Mass read.

To II. Affirmative, provided that the offerer is the owner, truly consents, and provided that the procedure is sincere, and no negotiation or form of negotiation is concealed.

But is such a purely formal answer sufficient, when the Ordinary himself, setting aside the question of law, points out the dangers of abuse and is concerned about a better way of resolving the matter? It seems that a more practical answer is needed, as will be stated immediately, after this brief observation regarding the method proposed by the Most Reverend Ordinary: namely, this method seems to err in the part where a fee is assigned for read Masses that was offered for sung Masses, or at least in failing to make a distinction.

III. Practical Conclusion:

Therefore, the entire cause of the difficulty seems to stem from the fact that, in one case, a single offerer undertakes to pay for so many sung Masses that it burdens others.

[*Latin ed. p. 504*]

504 Acta Apostolicae Sedis - The official commentary indicates that almost no space remains for them. These individuals then begin to insist in every way, lamenting the impossibility of obtaining Masses, and they urge the priests to morally necessitate the recourse to compositions, so that at least some may be satisfied. If this is the case, it seems advisable that, observing canon 836, too many Masses not be accepted from each individual for singing in the same church, and that if Masses for singing are trans-

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ferred, they be transferred so that they are sung, or added to the number of Masses to be read, corresponding to the excess of stipends received for Masses to be sung, unless the Holy See permits that this excess be assigned to pious diocesan works. In this sense, the opinion of the Sacred Congregation seems to be expressed in the case under consideration. Therefore, etc. - The Sacred Congregation of the Council, in plenary meetings of the Most Reverend Fathers held in the Apostolic Palace at the Vatican, on July 9, 1921, after careful consideration of all matters, decided that the response should be: "With the intention that the Ordinary prudently strive to modify this practice; and, in accordance with canon 836 of the Code of Canon Law, the faithful should be warned by a notice posted in a conspicuous place in the sacristy that not all Masses for singing can be celebrated in the parish church, but that the excess should be sent elsewhere for celebration." RESOLUTION. After the aforementioned matters were presented to His Most Holy Lordship Pope Benedict XV by the undersigned Secretary of the Sacred Congregation, in an audience on the following day, His Holiness deigned to approve and confirm the resolution of the Fathers. I. MORI, Secretary.

[*Latin ed. p. 505*]

505 The Roman Rota. ACTS OF THE TRIBUNALS. The Roman Rota of Bergamo. Regarding the endowment of a chapel. During the happy reign of Pope Benedict XV, in the seventh year of his pontificate, on the 26th of February, 1921, the Most Reverend Fathers Frederick Cattani Amadori, President, Peter Rossetti, and Raphael Çhimenti, Auditors, in the case of Bergamo – Regarding the endowment of a chapel – heard the following definitive judgment: Gaspar Sirtori, a man of piety from Bergamo, constructed a small church in honor of Saint Joseph outside the city, in the district called Capannelle, within the parish of Zanica, about three thousand paces from the water. There, having obtained permission from the Bishop of Bergamo, who had previously heard the local parish priest, he established a chapel, in order to provide spiritual benefit to the inhabitants; he granted the chaplain the right to reside in the house attached to the church, as well as the use and enjoyment of the garden and property adjacent to the house, in addition to an annual sum which he assigned to him. He also imposed certain duties on the chaplain, namely, hearing confessions, instructing children in Christian doctrine, celebrating the sacraments, and assisting the parish priest. All of this was established in a document drawn up by a public notary on July 28, 1836, by which he also reserved the patronage rights to himself in perpetuity. Less than three years later, Gaspar entered the religious house of the Conventual Minor Friars, which was then being established in Bergamo at Saint George's, as an oblate or tertiary, and, by a deed of donation dated March 22, 1839, he ceded all his goods and rights to this religious house, with certain conditions attached, among

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which was that the chapel of Saint Joseph in the parish of Zanica should be preserved in perpetuity. The Acts of this Order, volume XIII, number 13. - S-ll-§21. 3S.

[*Latin ed. p. 506*]

506 Acta Apostolicae Sedis - An Official Commentary of the religious house established the right to choose a chaplain after the death or resignation of Ambrose Lavelli, whom he himself had chosen, either from among the religious men of that community, or from secular priests, as it pleased them. He confirmed the duties and rights imposed upon the prior chaplain; however, he greatly reduced the duties for his successors; nevertheless, he granted the Very Reverend Conventual Fathers the power to vary these, "so that they may correspond... also to that stipend which they will deem convenient, with the possibility of deviating from that which has been established by the donor" (article 14). Furthermore, he decreed that if the religious house at Saint George's should ever be suppressed, the parish priest for the time being of Saint Alexander in Columna, which is a parish in Bergamo, would succeed in its place, in all rights and obligations pertaining to the Religious. This, which was stipulated in 1839, unfortunately occurred in 1868. Due to a suppressive law, the religious house was suppressed, and therefore the treasury seized all the assets of the community of Saint George's. However, the parish priest, who at that time was Saint Alexander in Columna, as a substitute, brought a case before the courts, and by a judgment of February 19, 1874, claimed all the assets for himself. When the first rector of the chaplaincy, commonly called Capannelle, passed away, the religious house appointed a priest, Bertacchi, to take his place. He remained in office from 1853 to 1858; he was then succeeded by the priest Regazzola, who from 1859 to 1863, like his predecessors, resided with the oratorians, and afterwards, due to another circumstance, only visited the oratory on holidays to fulfill the duties of a chaplain. The two previous chaplains were certainly pleased with the use of the church property; but whether the chaplain Regazzola ever had the usufruct of the property is very doubtful; indeed, the records show that the Very Reverend Conventual Fathers leased that property for a long period in 1864. The chaplains who were subsequently chosen by the parish priest of Saint Alexander in Columna never received any income from the property, but the parish priests retained it for themselves. In 1915, the parish priest of the place, Zanica, noting that the rights of the chaplaincy were not being observed according to the original statutes established by the founder, requested that the parish priest of Saint Alexander cede the property to the chaplain of Capannelle. When the parish priest of Saint Alexander refused, the dispute was brought before the Curia of Bergamo, which first resolved it administratively against the petitioner; but when the parish priest of the place, Zanica, insisted that it be handled in a judicial manner, the parish priest of

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Saint Alexander denied the plaintiff the right to stand in court; however, in an incidental judgment, the court on July 15, 1916, did not admit, nor did it accept, the exception of prescription, which was later raised. However, the final judgment, which was rendered on October 25, 1917, rejected the plaintiff's petition. He appealed to our Sacred Tribunal, which in Tournon on July 29, 1919, decided: "Whether, for a chaplain..."

[*Latin ed. p. 507*]

The Roman Rota, in case 507, concerning the usufruct of the property in question, responded: "Affirmative, that is, the usufruct of the property in question pertains to the chapel of Capannelle" (A. A. S., XIII, 47). Based on this ruling of the Rota, the parish priest of St. Alexander in Kolomna appealed, and the question to be decided today, during this session, is under debate: "Should the ruling of the Rota of July 29, 1919, be confirmed, or rather, infirm[ed] in this case?"

In fact. - Since law arises from fact, it is necessary for us to first understand the facts. Therefore, we will first inquire whether the Bishop of Bergamo approved the chapel founded by Gaspare Sirtorio. This is conveniently found in the records of the case, and it reads: "...regarding the requests made to us by Mr. Giuseppe Sirtorio of the parish of Zanica in this Diocese, in order to obtain the faculty to erect a public chapel on his property, located between the boundaries of the aforementioned parish... moved by the desire to support the religious aspirations of the aforementioned chapel, the local parish priest, and the inhabitants residing in that area, we have decided to grant his request, as we do now, using our ordinary authority, decreeing that we grant the aforementioned Mr. Gaspare Sirtorio of Zanica the faculty to open the aforementioned chapel for public use under the title of St. Joseph... with permission to celebrate the Holy Mass therein"; subject to certain conditions, among which is that the chapel should, at its own expense, perpetually provide for its maintenance, or for matters pertaining to the divine cult. With this permission obtained from the Bishop on December 12, 1827, Gaspare established the chapel on July 28, 1836, and in the instrument, he imposed the following obligations on the chaplain he elected: "The chaplain, who will be in office at the time, shall be obligated to assist with charity and zeal in the confessions of both sexes every day and at every hour; to give Christian instruction on every holy day, at that hour which does not coincide with the parish functions; to instruct the children of that area for four days a week and for two hours a day, in order to guide them on the right path of our religion, except for two months of the year, which are granted to him for vacation; to assist with the utmost dedication and with true Christian charity the poor and sick who are located in the surrounding area, within a radius of approximately one mile, but who belong to the parish of Zanica, providing them with all the assistance of our Catholic Religion, without regard for whether the need

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arises more during the day or at night; to occasionally participate in the parish functions of Zanica, but only when...

[*Latin ed. p. 508*]

508 Acta Apostolicae Sedis - Commentarium Officiale: "Considerando l'età, la salute, la varietà delle stagioni, e che non abbia 'impegni relativi ai membri della parrocchia', e infine permettendo, sempre però previo consenso del parroco che sarà *pro tempore* a Zanica, ai vicini Reverendissimi Signori Parrochi di amministrare i Sacramenti ai poveri malati, anche se non appartengono alla parrocchia di Zanica, qualora le circostanze lo richiedano, affinché non siano lasciati morire senza quei suffragi così necessari alla salute delle nostre anime."

"Il cappellano che sarà *pro tempore* sarà tenuto a celebrare, nella detta chiesa di San Giuseppe, la Santa Messa tutte le domeniche e le altre feste comandate, nonché a celebrare quotidianamente anche nei giorni feriali, in quel tempo e ora di maggior comodità ai fedeli; di queste giornate feriali, il cappellano potrà scegliere, a sua discrezione, fino a 30 (trenta) giorni all'anno, per dedicarsi ai propri affari, o anche per semplice riposo, rimanendo, per questi giorni, limitatamente esonerato da tale celebrazione, fermo l'obbligo, per il resto del tempo, di adempiere esattamente e scrupolosamente alla celebrazione stessa. Quanto all'applicazione della Santa Messa quotidiana da celebrarsi nella detta chiesa di San Giuseppe, escludendo i 30 giorni di riposo concessi, il cappellano dovrà applicare ogni anno e in perpetuo 150 (centocinquanta) messe, secondo la volontà del fondatore, l'ingegnere Gaspare Sirtori, e le altre messe rimarranno a libera disposizione del cappellano stesso.

Se il cappellano, a causa di debolezza fisica, non potesse celebrare la Messa festiva, dovrà, a sue spese, farsi sostituire da un altro sacerdote, in modo che né la domenica né le altre feste comandate manchino mai; qualora la malattia fosse prolungata per più di due mesi e di tale natura da renderlo incapace di adempiere ai suoi doveri, in tale caso, sarà tenuto a sostituirsi, a sue spese, con un altro sacerdote che faccia al suo posto, ma che sia di pieno gradimento dell'istituente e dei commissari, nonché del Reverendissimo Parroco di Zanica che sarà *pro tempore*; senza il concorso di questi elementi, la sostituzione non sarà mai valida né attendibile."

"Inoltre, l'istituente ordina al cappellano di recitare il rosario il sabato di ogni settimana, nonché nelle feste della B. Vergine Maria, e in alcune feste, di impartire la benedizione al popolo con il Santissimo Sacramento. Congruamente a tutti questi uffici, gli vengono concessi i seguenti compensi e diritti:

Al cappellano che sarà *pro tempore*, oltre al diritto di percepire in denaro le sopra menzionate austriache lire 1000, divise in due rate uguali, come sopra, gli viene assegnata anche l'abitazione situata nel locale adia-

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cente."

[*Latin ed. p. 509*]

"In the aforementioned church, consisting of a small room and kitchen on the ground floor, and three bedrooms on the upper floor, as well as the adjacent garden belonging to the church and the building, all enclosed by a hedge, and the land nearby, used for agricultural and grazing purposes, amounting in total to eighty-eight (88) local perches."

"According to these stipulations, Gaspar first chose Ambrose Lavelli as chaplain, who, upon taking office, assumed the duties and rights of the position. However, in the year 1839, when Gaspar entered the community of the Conventual Minor Friars, he donated all of his property, including the chaplaincy of Saint Joseph and its endowment, to that same community: 'The transfer of direct ownership of the enfiteutic and real estate properties donated is made by the donor through a deed in the donor community, effective from this day forward, with the possibility of having these donated properties registered in his name on the census records, as proof of the direct ownership granted to him... The donor intends to relinquish all benefits and profits from all of the donated items, by ceding the full enjoyment of the rents, the church, the house, and the land to the recipient community, along with all active and passive actions, rights, and servitudes pertaining to the donor and applicable to the donated properties, intending to place the recipient community in a secure and stable position, by appointing the aforementioned Reverend Father Angelo Bigoni as his irrevocable procurator, for all purposes of law and reason, and his successors as Provincials of the aforementioned community.'"

"Having made this donation of his property to the community, he imposes certain obligations upon them, which, with respect to the chaplaincy of Saint Joseph, are as follows: 'It will be... the obligation of the community to continue to pay to the chaplain of the church of Saint Joseph in Zanica, which was established by the donor for the benefit of that town, the annual sum of one thousand Austrian lire (840 Italian lire), in addition to the use of the portion of the house that he already enjoys, and the fruits of the lands also assigned to him in usufruct, as is evidenced by the documents of July 28, 1836, in the records of the Notary, Dr. Angelo Custode Locatelli.'"

"A question arises between the parties as to whether Gaspar Sirtorius, when enumerating these rights of the chaplain, is speaking only of Ambrose Lavelli, that is, of the chaplain who was then in office, or rather, of the chaplain for the time being, that is, also of those in the future. But the matter, which might remain doubtful to the reader of this paragraph alone, is explained by what immediately follows: 'In the event of the death of the current chaplain, or in the event of a resignation or dismissal for some reason resulting from the failure to observe all of the obligations assumed by the chaplain in the aforementioned deed, the donor charges (sic) the

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community with a strict oversight to ensure its execution; in this case, it will be the obligation of the community to promptly elect another individual."

[*Latin ed. p. 510*]

510 Acta Apostolicae Sedis - Commentarium Officiale: "And to this, with good will, prudence, and zeal for souls, it is permitted to impose upon him [the chaplain] those obligations which he deems necessary" (thus, in the preceding paragraph, he spoke of the chaplain whom he had chosen, with whom he had entered into a contract in the year 1836, and not of his successors, to whom he now establishes new obligations), "in addition to those expressly stipulated by the donor, which are to be imposed perpetually upon all successors: 1. To keep the church and its sacred furnishings clean and well-maintained, delivering them to the chaplain each time with a precise inventory, under proper security, so that he may preserve them and return them in kind, except for their natural deterioration suffered through use. 2. To celebrate Mass decorously in the aforementioned church perpetually, with religious zeal and diligence, and as he deems best, the Convent permitting. 3. To have celebrated annually and perpetually in that church one hundred and fifty (no. 150) Masses, according to the intention of the donor, as is currently practiced, with the obligation for the chaplain to be present at Mass on all days of obligation, none excepted. 4. To assist diligently and zealously the sick of the neighborhood, with the obligation to provide Christian instruction on all feast days, and to hear the confessions of both sexes in that church diligently and attentively... 9. If, upon the departure of the chaplain, for any of the aforementioned reasons, the Convent is able to fulfill the obligations of the chaplaincy with one of its Religious of the same Order, with the exact observance of the agreements established above, the aforementioned donor would be very pleased if the Convent were to support it, for the greater benefit of the Convent itself; otherwise, he will be obligated to maintain the aforementioned chaplaincy perpetually, by appointing a chaplain of his own choosing." This paragraph corresponds to § 14, in which Gaspar states: "If the case contemplated in article 9 (ninth) occurs, namely, that the Convent must maintain the chaplaincy by appointing a chaplain of its own choosing, then the Convent itself may, in such a case, impose upon the chaplain, in addition to the obligations contained in this instrument, any other obligations that it deems necessary, while also paying to the chaplain a salary that it deems appropriate, and may deviate from that which was established by the donor." Therefore, in this instrument, Gaspar not only lightened the burdens imposed upon future chaplains, which were those that he had imposed upon the one he had chosen in the act of institution in the year 1836, but he also granted to the PP. Conventual the faculty to impose even

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other obligations.

[*Latin ed. p. 511*]

The Roman Code of 511 granted that stipends should be assigned to the chaplains, which seemed fitting to them, namely, with the possibility of derogation from that which He Himself had established. The question raised by some parties, as to whether a second, or even a third, chaplain should enjoy the usufruct of the property, and which they attempt to define through testimonies, is of little or no relevance to this dispute; because, even though the Very Reverend Conventuals, at one time or another, may have granted the usufruct, it does not follow that they have lost the power to alter the agreements, when they so wish. Furthermore, it is certain that, in the year 1864, while the priest Regazzola was still the rector of the chapel of St. Joseph, the usufruct of the property no longer belonged to him. For the Very Reverend Conventuals had, since the year 1863, for a long time, namely for eighteen years, leased the property. In the year 1868, when the religious house was suppressed by secular law, by an instrument drawn up on August 13th by the public Notary John Dolci, the Very Reverend Fathers themselves delivered to the Prefect of St. Alexander in Kolomna all the goods and rights which they had received from Gaspare Sirtorio, as the donor had ordered, that is, with all the burdens imposed upon them by the contract of March 22, 1839. In that act of conveyance, the burdens which existed at that time on the property were enumerated in these words: "All the burdens that today exist in the following manner: a) To the chaplain of St. Joseph at the chapels of Basella in the municipality of Zanica, 840 Italian lire annually" (the rest follows, which is of no interest to us), but there is no mention of the usufruct of the property, which is the subject of the dispute, which the parish priest of St. Alexander in Kolomna never delivered to the chaplains of St. Joseph; but they paid them only a yearly stipend of 840 Italian lire. Therefore, it seems that the instrument of donation, made by Gaspare to the Convent in 1839, has, from the year 1863 until the present, received this interpretation, so that the Very Reverend Conventuals, and later the parish priests of St. Alexander in Kolomna, could freely use and enjoy the property, the usufruct of which Gaspare himself had assigned to the chaplain of St. Joseph in the year 1836. And this is in accordance with the law. - Since the interpretation given by the Religious and by the parish priests of St. Alexander to the donation made to them by Gaspare Sirtorio, has been constant and peaceful for a period of fifty years and more, it creates a presumption in their favor, so that the parish priest of Zanica, who contends that it is based on a false foundation, bears the burden of proving it legally. The arguments to demonstrate this (assuming the validity of the act of 1836) can be two: either that Gaspare Sirtorio could not change the agreements which he established in the act of founding the chapel, or at

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least that, even if he could have changed them, in fact...

[*Latin ed. p. 512*]

512 Acta Apostolicae Sedis - The official commentary did not change this. However, the first point is erroneous in asserting this. Indeed, the act of July 28, 1836, by which Gaspar Sirtorius claimed to establish a chaplaincy dedicated to Saint Joseph, in itself, as a constitutive act of the chaplaincy, remained incomplete: for its completion, another act was necessary, namely, the designation of those who, after Gaspar's death, should choose the rectors of the chaplaincy. There, under number 1, it is written: "The aforementioned Mr. Sirtorius... establishes a chaplaincy with the exclusive reservation of the right of patronage, that is, the right to choose the priest, in himself, until 'he is among the living; upon his death, the appointment of the chaplain will be the exclusive right of the commissioners who will be appointed by Mr. Sirtorius in another separate document signed by him, also with the participation of the Reverend Mr. Prefect of Zanica, who will be the protector, under the express condition that if disagreement arises among them in the choice, in such an unforeseen event, the appointment of the chaplain will be definitively made by the Most Reverend Bishop of this city and diocese, removing all opposition": this act, which, in its value for the future, should have been considered, never came to fruition with Gaspar. Secondly, because the condition imposed by the Bishop on Gaspar was not observed by him, namely, that Gaspar should have the faculty to open an oratory for divine worship, or to celebrate Mass there. This condition is expressed as follows: "...with authorization to be able to have Holy Mass celebrated, 'provided that the following conditions are strictly observed: 1) that the maintenance of the aforementioned oratory is solely the responsibility of the aforementioned Mr. Sirtorius and his heirs, considering his obligation to be extended according to law, with the stipulation of a special mortgage on a property, the proceeds of which will be used solely for the maintenance of the aforementioned oratory, since the oratory itself must not be a burden either on the parish church or on the municipality.'" This condition, which, it should be noted, involved the imposition of a mortgage on the property, so that the revenues would support the chaplaincy, was never fulfilled by Gaspar. Since the contract of establishment itself was not perfect, it follows in civil law that it is to be considered void: "An imperfect act, and one which is less valid and not consummated, is considered null and void: 1. if those who..." (Leurenius, p. H, q. 794, 1). Although the chaplaincy was properly established by Gaspar, by the act of 1836, it was nevertheless ecclesiastical, but only in a lay sense, because the canonical erection is lacking; "Therefore, in practice, the Holy Congregation of the Council, in order to determine whether a benefit is ecclesiastical, and to distinguish it from a lay chaplaincy or a *missarum legato*, a pious donation, pays great attention to whether a decree of the

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Bishop or his official has been issued in its erection."

[*Latin ed. p. 513*]

The Roman Rota, 513, concerning "the benefits of the same [institution]. For, indeed, purely lay Masses or chaplaincies are received only by ecclesiastical authority, and are not established as a title by decree, or by canonical institution" (Santi, Praelectiones Iuris Canonici, book II, title 5, number 10). These chaplaincies are also called mercenary, because in them, the priests celebrate Mass for a received payment, without a title. In these, priests are chosen to fulfill the duty imposed by the testator, but they can be removed by him, and such chaplaincies are also called manual and revocable at will, because they are in the hand of another, who can abandon or remove them. Nor can the testator or founder impose a condition in the establishment of a properly called chaplaincy, that the Bishop not intervene in granting them, as Gaspar firmly stipulated in the year 1836 (cf. Ferraris, Bibliotheca Canonica, at the word "Cappellania," numbers 3, 5). However, those which, strictly speaking, are rather called "ecclesiastical services" (cf. D'Annibale, Summa Theologiae Moralis, part III, number 71), can be changed or suppressed by the founders themselves, while they are still living, or even by testament, since they depend entirely on their own will, unless they have been legitimately accepted by the competent ecclesiastical authority, in which case they would acquire the nature of synallagmatic contracts: "I give that you may do," as the Code of Canon Law states, canon 1544, § 2. However, as we have seen in our case, this does not occur in the least, since Gaspar only obtained permission to open an oratory and to celebrate Mass there, under a condition which he did not fulfill. Does the parish priest of Zanica, Gaspar Sirtorio, prove by an instrument of March 22, 1839, that he did not change the agreements which he established at the time of the foundation in the year 1836? - It immediately appears to those who read that Gaspar gave to the Conventual Fathers of St. George everything of his own, and therefore also those things which in the year 1836 he had established as the endowment of the chaplaincy. For, after they have been accurately described, the notary declares: "The aforementioned Mr. Gaspar Sirtorio, in relation to what has been stated, spontaneously and willingly, and in every possible way, declares that he irrevocably donates, by a living contract, to the Convent of the Reverend Minor Conventual Fathers of St. Francis, which is being established in the Borgo S. Leonardo, in the aforementioned location of St. George, accepting for it the aforementioned priest, Mr. Don Pietro Sironi, as entrusted with the aforementioned mandate by the aforementioned Reverend Fathers Bigoni," among which are specifically indicated "all the real estate belonging to the aforementioned donor, located in the communes of Grassobio and Zanica, that is, a church bearing the title of St. Joseph, with an attached building for the use of the chaplain, with a garden, another building, all enclosed with a

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living hedge, facing the aforementioned church, recently built, as well as all the land adjacent to it."

[*Latin ed. p. 514*]

514 Acta Apostolicae Sedis - Official Commentary: "a house and land, amounting to approximately 88 perticati. "All the furnishings of any kind whatsoever, both those pertaining to the church and those of another nature, existing in the aforementioned houses... "The transfer of direct dominion over the enfiteutic and immovable properties donated is transferred from the donor to the recipient convent, from this day forward, with the faculty of also having the aforementioned properties registered in their name on the census records as proof of direct dominion, and of being recognized as the owner of the aforementioned two enfiteutic properties by the aforementioned surveyors... The donor intends to divest himself of the benefits derived from all the things donated, by ceding the full enjoyment of the rents and dues, of the church, house, and land, to the recipient convent, with all actions, rights, and servitudes, both active and passive, pertaining to the donor and applicable to the donated properties, intending to place the recipient convent in his "place and state." Finally, it is added: "For further clarification, it is added that the land, church, and house as mentioned above are those currently enjoyed by the present chaplain, by virtue of a document dated July 28, 1836, signed by Mr. Angelo Custode Locatelli." If, therefore, the goods which in the year 1836 were constituted as the chaplain's endowment, in the year 1839 were given to the Conventual Fathers, how can it be asserted that the former document was not altered by the second? Furthermore, since in the instrument of donation of the year 1839, Gaspar expressly established perpetual obligations to be imposed on the chaplains who would succeed Ambrose Lavelli, six of which are enumerated, while Ambrose himself, in the document of the year 1836, imposed at least ten obligations, therefore, four obligations were reduced for future chaplains, namely: "1. To instruct the children of that locality for four days a week and for two hours a day, so as to instill in them the correct path of our Religion; 2. To participate occasionally during the year in the parish functions of Zanica; 3. To celebrate Holy Mass daily in the church of St. Joseph, even on weekdays, at a time and hour most convenient for the faithful; 4. To be replaced in case of physical incapacity on Sundays and on holy days, at his own expense, by another priest, who will "do his work": and also on Saturdays of every week and on the feasts of the Blessed Virgin Mary, to recite the Rosary in the oratory and on certain other feasts to give a sermon to the people, and to impart benediction with the Most Holy Sacrament. Therefore, how can the parish priest of the place of Zanica affirm that Gaspar Sirtorium did not alter the obligations of the benefice, rather, the parish priest of St. Alexander in Columna fully demonstrates the contrary. Since these things are so, we do not understand how the

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aforementioned Royal Decree could have asserted: o

[*Latin ed. p. 515*]

The Roman Rota, number 515, after a comparison made between both documents, holds that "there is no exclusion of the prior will by the subsequent one, but, as far as the substance of the matter is concerned, they are amicably united with each other," and then: "these obligations which are most broadly stated – as will seem best to the Reverend – hold the place of many others, which in particular the pious founder had established in the year 1836"; for these are facultative, while those are imperative: is it not the same thing to impose a burden, as the imposition of a burden itself! Therefore, we judge that we cannot depart from the consistent and peaceful interpretation which the Religious first, and then the pastors of Saint Alexander in Colomna, gave to the instrument of donation of the year 1839, without anyone objecting, when they could easily have done so, whether they were chaplains of Saint Joseph, or pastors who have been in the place of Zanica for more than fifty years. Indeed, the very words of the donation fully demonstrate this interpretation, conforming as it does to the donor's intention. Having considered all of this in law and in fact, We, the undersigned Auditors, sitting for the tribunal and having only God before our eyes, invoking the name of Christ, decide, declare, and definitively sentence regarding the proposed doubt: "Whether the Rotal sentence of July 29, 1919, should be confirmed or rather infirm in this case," that the answer is: "Negative to the first part, Affirmative to the second," or: "The Rotal sentence of July 29, 1919, should be infirm in this case, and therefore, it does not apply to the chaplain of the place of Gapannelle the usufruct of the property in question." Furthermore, we wish that all judicial expenses be compensated between the parties, except for the costs of this sentence, which are to be paid by the pastor of the place of Zanica. Thus we pronounce, ordering the Ordinaries of the places and the ministers of the tribunals to whom it pertains to enforce this our definitive sentence, and against those who resist, to proceed according to the norms of the sacred canons, and especially title XVII, canon 4 of the Code of Canon Law, concerning the execution of sentences; using the executive and coercive means that are most suitable and effective for the circumstances. In Rome, at the seat of the Tribunal of the Holy Roman Rota, on February 26, 1921. Frederick Cattani Amadori, Presiding. Peter Rossetti. Raphael Chimenti. T. Tani, Notary.

[*Latin ed. p. 516*]

516 Acta Apostolicae Sedis - Official Commentary of the DIARY OF THE ROMAN CURIA, HOLY CONGREGATION. NOTICE: It is hereby made known that the period for the registration of young clerics for studies at the Holy Congregation of Councils will end on the first of the coming De-

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cember. Rome, October 26, 1921. G. Mori, Secretary.

HOLY CONGREGATION OF RITES. Tuesday, October 25, 1921, in the Vatican Apostolic Palace, with the presence of the Most Reverend and Illustrious Cardinals, and with the votes of the Most Reverend Prelates and the theological consultants composing the Holy Congregation of Rites, a new preparatory session was held to discuss the question concerning the heroic nature of the virtues exercised by the Venerable Servant of God, Alan of Solminiac, Bishop of Cahors.

HOLY APOSTOLIC PENITENTIARY. NOTICE OF COMPETITION: It is notified that in the Sacred Tribunal of the Apostolic Penitentiary, a competition will be held for the office of Substitute, through oral and written examination. The oral examination will take place on November 29th of the coming month at 9 o'clock, and the written examination the following day at 8 o'clock. Priests who wish to participate must, no later than November 25th, present their application, accompanied by the necessary qualifications for admission, to the Secretariat of said Sacred Tribunal. From the Secretariat of the Holy Penitentiary, October 25, 1921. B. Colombo, Regent.

[*Latin ed. p. 517*]

From the Roman Curia Diary, 517.

SECRETARY OF STATE

By means of documents from the Secretary of State, the Holy Father has deigned to appoint:

October 5, 7, 23, 26, 1921.

The Most Reverend Cardinal Augusto Silj, Protector of the Congregation of the Angelic Sisters, founded by Saint Anthony M. Zaccaria.

The Most Reverend Cardinal Andrea Frühwirth, Protector of the Institute of the Big Sisters of the Holy Cross, of Ottawa.

The Most Reverend Cardinals Francesco Ragonesi and Camillo Laurenti, Members of the Sacred Congregation of the Sacraments.

The Most Reverend Cardinal Michele Lega, Protector of the Religious Oblates of the Assumption.

By Apostolic Briefs, the Holy Father has deigned to appoint:

Assistant to the Pontifical Throne:

June 28, 1921.

Most Reverend Giovanni Glennon, Archbishop of St. Louis (Missouri, United States of America).

Apostolic Protonotaries, with the right to participate:

April 21, July 16, 1921.

Most Reverend Giuseppe Brenner, of the diocese of Budweis.

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Most Reverend Giovanni Kohuth, of the diocese of Neosolio.

Domestic Prelates of His Holiness:

June 26, 1921.

Most Reverend Matteo Göbel, of the diocese of Limburgo.

July 19.

Most Reverend Giuseppe Nathan, of the archdiocese of Olmiitz.

Most Reverend Leopoldo Precan, of the same archdiocese.

October 4.

Most Reverend Giovanni Mesini, of the archdiocese of Ravenna.

October 6.

Most Reverend Paolo Hook, of the diocese of Menevia.

October 19.

Most Reverend Giandomenico Pini, of the archdiocese of Milan.

October 21.

Most Reverend Gherardo Canova, of the diocese of Bergamo.

Most Reverend Giuseppe Pezzoli, of the same diocese.

[*Latin ed. p. 518*]

Acts of the Apostolic See - Official Commentary 518 HONORS. With Brief Apostolical letters, the Holy Father deigned to bestow the following honors:

On October 17th:

Knighthood of the Order of Saint Gregory the Great:

To Mr. Augusto Ciriaei (Rome).

To Mr. Cesare Ossicini (Rome).

The Grand Cross of the Order of Saint Gregory the Great, civil class:

On October 18th, 1921:

To Mr. Luigi De Ossa y Brown, of the archdiocese of Saint James of Chile.

The Plaque of the Order of Saint Gregory the Great, civil class:

On October 20th, 1921:

To Mr. Alfonso Ledoulx.

The Commander of the Order of Saint Gregory the Great, civil class:

On October 7th, 1921:

To Mr. Eduardo Cayota, of the Republic of Uruguay.

To Mr. Paolo Gautkowski, of the archdiocese of Gnesen and Posen.

Knighthood of the Order of Saint Gregory the Great, civil class:

On August 24th, 1921:

To Mr. Giovanni Adriano Monod de Froideville, of the Apostolic Vicariate of Batavia.

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To Mr. Ernesto Augusto Van Arcken, of the same Vicariate.

On September 28th:

To Mr. Enrico Ludovico Giuseppe Maertens, of the diocese of Breda.

On October 6th:

To Mr. Giuseppe De Valence de Minardière, of the diocese of Autun.

On October 13th:

To Mr. Giovanni Battista Angelo Cossetti, of the diocese of Concordia.

To Mr. Augusto Van de Velde, of the archdiocese of Malines.

To Mr. Costante Coosemans, of the same archdiocese.

To Mr. Enrico G. M. Hermans, of the diocese of Ruremonda.

To Mr. Maurizio Eblé, of the archdiocese of Paris.

On October 17th:

To Mr. Paolo Amadori (Rome).

Knighthood of the Order of Saint Gregory the Great, military class:

On September 30th, 1921:

To Lieutenant Norberto Laude, of the archdiocese of Malines.

[*Latin ed. p. 519*]

Diarium Romanae Curiae 519: The Commandery of the Order of St. Sylvester the Pope: October 17, 1921. To Mr. Piero Panighi (Rome). The Knighthood of the Order of St. Sylvester the Pope: September 26, 1921. To Mr. Luigi Ramello, of the archdiocese of Turin. October 18: To Mr. Francesco Carrer, Intendant of the Papal Stables.

BY THE GRACE OF HIS HOLINESS:

With the letters of His Excellency, Monsignor Maggiordomo, the Holy Father deigned to appoint:

Extraordinary Secret Chamberlains of His Holiness:

July 2, 1921. Monsignor Giuseppe Clemente Willging, of the diocese of Helena (His Holiness's territory).

October 11: Monsignor Sigismondo Kulig, of the diocese of Cracow.

October 11: Monsignor Giuseppe Corona, of the diocese of Massa.

October 11: Monsignor Silvio Giovannoli, of the same diocese.

October 18: Monsignor Aristide D'Alessandro, of the diocese of Lucera.

October 18: Monsignor Pietro Mortarino, of the diocese of Novara.

October 21: Monsignor Francesco Lazzara (Rome).

October 21: Monsignor Giovanni Franzioni, of the diocese of Vercelli.

October 22: Monsignor Felice Gallinetti, of the archdiocese of Bologna.

Extraordinary Secret Chamberlains with Sword and Cape of His Holi-

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ness:

August 22, 1921. Mr. Valentino Bellia, of the archdiocese of Turin.

September 19: Mr. Count Paolo d'Artèt, of Brussels.

September 30: Mr. Count Carlo Lefebvre, of the archdiocese of Malines.

October 21: Mr. Count Girolamo Medolago Albani, of the diocese of Bergamo.

October 21: Mr. Count Pio Medolago Albani, of the same diocese.

October 21: Mr. Enrico Baeza Yavar (Chile).

Honorary Chamberlains in Peacock Blue of His Holiness:

July 12, 1921. Monsignor Giuseppe di Gennaro, of the diocese of Mileto.

October 7: Monsignor Giuseppe Luchenti, of the diocese of Norcia.

[*Latin ed. p. 520*]

Acta Apostolicae Sedis - Commentarium Officiale 1. October 8th » » » » » » 21 » 1921. Monsignor Tito Crespi, of the diocese of Ventimiglia. » Monsignor Antonino Arata, of the diocese of Piacenza. » Monsignor Efrem Forni, of the archdiocese of Milan. » Monsignor Lorenzo Baum, of the archdiocese of Colonia. » Monsignor Rocco Beltrami, of the diocese of Novara.

NECROLOGY September 9th, 1921. Monsignor Giacomo Costamagna, titular Bishop of Colonia.

19 » » Monsignor Prudenzio Gomes da Silva, Bishop of Goyaz.

October 17th » Monsignor Emanuele Alfonso Van de Bosch, titular Archbishop of Pario.

» » » Monsignor Mario Palladino, Bishop of Caserta.

22 » » Monsignor Giovanni Marenco, titular Archbishop of Edessa, Apostolic Nuncio for Costa Rica, Nicaragua, and Honduras.

2ß » » Monsignor Gregorio Nazianzeno Hoyos, Bishop of Manizales.

[*Latin ed. p. 521*]

Year XIII - Vol. XIII, November 23, 1921, No. 41.

ACTA APOSTOLICAE SEDIS. OFFICIAL COMMENTARY.

ACTS OF POPE BENEDICT XV.

SACRED CONGREGATION.

On November 21, 1921, a secret Consistory was held in the Vatican Apostolic Palace, and the following are recorded in order:

I. - ADDRESS OF HIS HOLINESS, POPE BENEDICT XV.

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"Most Venerable Brothers,

In this renewed joy of the most numerous assembly, many great matters are of concern to Us, but the most important is that which pertains to the mutual relations between the Church and civil society. For, after the recent and immense war, new Republics have arisen, or old Republics have grown, with provinces added to them. Indeed, omitting other matters which we could bring up, it is clear that those privileges which this Apostolic See, through solemn agreements and conventions, had previously granted to others, these Republics cannot, by any right, claim for themselves, since matters transacted between others do not bring benefit or prejudice to others. Furthermore, we see that some States have been completely transformed by this great change of circumstances, so much so that what they are now cannot be considered morally the same as what they were before."

ACTA, vol. XIII, no. 14. - 23-11-1921. 36.

[*Latin ed. p. 522*]

522 Acta Apostolicae Sedis - An Official Commentary: The person with whom the Apostolic See formerly negotiated. From this, it follows that even the agreements and conventions which existed between the Apostolic See and those States have now lost all their force. However, if those who are in charge of the republics or states which we have mentioned, should desire to make peace with the Church under conditions which are more suitable to the changed times, let them know that the Apostolic See – unless something else presents an impediment – will not refuse to discuss this matter with them, as it has already begun to do with some. This, however, We confirm anew to you, Venerable Brothers: We will not allow anything to be included in such agreements which is alien to the dignity or freedom of the Church; indeed, it is of the utmost importance that these be preserved and protected, especially in this time, for the very prosperity of civil society. For surely, the agreement of civil and religious matters contributes greatly to the tranquility, the public order, which is the best foundation for all other things. Indeed, peace is desired by peoples who have suffered so much ruin in every way, both at home and abroad; and yet, with great sorrow and concern, We observe that peace, solemnly promised, is not accompanied by a peace of mind, and that almost all nations, especially those of Europe, are still torn apart by divisions, and by such bitter divisions that the merciful hand of God is increasingly needed each day to heal them, for in Him is the virtue and power... the greatness and dominion of all things. Therefore, let us turn to His clemency, and let us not only implore it with fervent prayer, but let us also strive to reconcile ourselves with Him, both by leading a more holy life, and also by frequently performing acts of charity towards those who are in need, of whom there is now, perhaps more than ever, a

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great number everywhere. For, in this disturbance of all things, in which...

[*Latin ed. p. 523*]

The Acts of Pope Benedict XV, page 523, state that there are two principal reasons for this: that minds are led astray by various errors, and that many are consumed by envy. It is truly a God to be praised, rich in mercy, who, in the course of a year, has offered mankind two opportunities to remedy these matters in a most fitting manner. We celebrate the seven hundredth anniversary of the year in which Father Francis, the founder of the Order of Friars Minor, and Father Dominic, the founder of the Order of Preachers, passed away. It is not to be doubted that the memory of these most holy men will stir up the Christian people to devotion and the practice of both charity and truth. Indeed, that great Catholic poet – whose memory has been rightly and worthily celebrated by us these months – has joined together the praises of both Patriarchs in a single proclamation, calling one "a seraphic flame of charity" and the other "a cherubic light of wisdom." Therefore, with God's help, the observances instituted in their honor have been carried out with such piety and such frequency that it may be judged that they have not merely rekindled a fleeting enthusiasm, but have resulted in a solid and lasting increase in faith and mutual love among many.

Although we earnestly seek from God the most effective remedy for the evils that afflict human society, we do not neglect to say or consider anything that sound reason and the course of things suggest as remedies and safeguards. For it is the duty of those who govern peoples to promote the common good by employing such remedies and safeguards, although it is unlawful to rely solely on them, neglecting the help of God. Therefore, we gladly observe that representatives from many nations have convened in Washington these days in order to consult with one another about reducing the excessive expenses of military affairs. We hope and desire that their deliberations may be successful.

[*Latin ed. p. 524*]

Acts of the Apostolic See - Official Commentary 524, that they may proceed with due deliberation, and that God may grant them the light of His wisdom, which I also earnestly pray; for it is not only a matter of relieving the people of burdens which are already intolerable, which is certainly a great thing, but also, and this is even greater, of making the dangers of war, as far as possible, a very distant prospect. Furthermore, it remains to assign sacred pastors to the churches. II. - APPOINTMENTS OF CHURCHES. Then, the Most Blessed Father provided the following churches with their own pastors, namely: To the Metropolitan Church of Bologna, he appointed the Reverend Father John Baptist Nasalli-Rocca, formerly the titular Archbishop of Thebes, Prefect of His Holiness's Almonry. To the titular Archiepiscopal Church of Oxyrhynchus, the

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Reverend Father Leon Livinhac, from the Congregation of the Missionaries of Africa, formerly the titular Bishop of Pacandus. To the Metropolitan Church of Janua, the Reverend Father Joshua Signori, formerly the Bishop of Alexandria of the States. To the titular Archiepiscopal Church of Damascus, the Reverend Father Sica, formerly the titular Bishop of Palaeopolis. To the titular Archiepiscopal Church of Nicaea, the Reverend Father Julius Tiberghien, Consultor of the Sacred Congregation for the Eastern Churches, Apostolic Protonotary, and Canon of the Patriarchal Archbasilica of the Lateran. To the titular Archiepiscopal Church of Edessa, the Reverend Father Marius Giardini, from the Congregation of the Clerics Regular of Saint Paul the Apostle, Parish Priest of the Saints Blaise and Charles at Catinaria in the City, elected Apostolic Delegate to the Japanese Empire. To the Cathedral Church of La Crosse, the Reverend Father Alexander, formerly the titular Bishop of Marcopolitan. To the Cathedral Church of Mae Gavick, Ogdensburg, the Reverend Father Joseph Henry Conroy, formerly the titular Bishop of Arindela. To the newly erected Cathedral Church of Belo Horizonte, the Reverend Father Anthony dos Santos Cabrai, formerly the Bishop of Natal.

[*Latin ed. p. 525*]

525. The Acts of Benedict, Pope: To the Cathedral Church of Annecy, the Reverend Father Florentius du Bois de la Villerabel, hitherto titular Bishop of Eeën. To the Cathedral Church of Brooklyn, the Reverend Father Thomas Molloy, hitherto titular Bishop of Lpri. To the titular Church of Gerrha, the Reverend Father Edmund Lucas Hermenegild Pasetto, of the Order of Friars Minor Capuchin, Apostolic Preacher. To the Cathedral Church of Meaux, the Reverend Father Louis, General of the Order of Bellovace. To the titular Church of Sorens, the Reverend Father Daniel Gaillard, and the Reverend Father Daniel Champavier, General Vicar of Grenoble, appointed as Auxiliary to the Reverend Father Anthony Fahre, Bishop of Marseilles. To the Cathedral Church of Northampton, the Reverend Father Charles Cary-Elwes, Canon of the same cathedral. To the titular Church of Cologne, the Reverend Father Edward Hoban, appointed as Auxiliary to the Reverend Father George Mundelein, Archbishop of Chicago. To the Cathedral Church of Alexandria of the States, the Reverend Father Nicholas Milone, parish priest of the place commonly called Favria, in the archdiocese of Turin. To the Cathedral Church of Saint-Pol-de-Léon in America, the Reverend Fathers Nicholas Tijerino and Loaiciga. To the Cathedral Church of Chachapoyas, the Reverend Father Octavius Ortiz Arrieta, of the Pious Society of Saint Francis of Sales. To the titular Church of Callinique, the Reverend Father Joseph Abbat, of the Congregation of Saint Alessandri de Oroshi, in the mountains of Miriditarum. Then, the Most Blessed Father declared that he had confirmed the promotions and elections canonically made at the Synod of Syrian Bishops, held

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in Berythus in the month of February, namely: The Reverend Father Theophilus Gabriel Tappouni, already titular Bishop of Bathnan and Sarug, to the metropolitan see of Alep. The Reverend Father Julius Behnan Kalian, Vicar of the Patriarch of Antioch of the Syrians in the city of Mardin, to the titular episcopal see of Bathnan and Sarug. The Reverend Father Joseph Giorgi, Vicar of Hemese and Apamie, to the episcopal see.

[*Latin ed. p. 526*]

526 Acta Apostolicae Sedis - Official Commentary. Furthermore, Our Most Holy Lord also publicly appointed other individuals who had previously resigned through Apostolic Letters sealed with lead, namely: ARCHBISHOPS: of Sardica, Ernest; of Gujan, Filippi Aloysius Muñoz; of Babylon (of the Latins), Franciscus Berré; of Baltimore, Michael Joseph Curley, who was already Bishop of St. Augustine; of Gujab, Franciscus de Aquino Correa, who was already a titular Bishop; of Dublin, Eduard Byrne, who was already a titular Bishop; of Gizyca, Iacobus Sereggi, who was already Archbishop of Scodra. BISHOPS: of Vigevano, Angelus Hyacinthus Scapardini, who was already a titular Archbishop; of Alexandria in Ontario, Felix Couturier, who was already Bishop of Myriophyta; of Bulla, Julius Sitifensis, Ioannes Girard, Thevenoud; of Uzès, Aemilius Fernand Sauvant; of Plata, Franciscus Alberti, who was already a titular Bishop; of Siunia, Bernardus Martinez; of Almer, Antonius Micozzi; of Hierapolis, Celsus; of Himeria, Matthaeus; of Noval, Constantinus; of Ruarense, Alfredus Colón; of Portorico, Augustinus de Jesus et Souza; of Toledo in America, Platearum, Ioseph Samuel Ferdinand Périer; Caruana; Stritch; titular.

[*Latin ed. p. 527*]

Acts of Pope Benedict XV: Christian Gamulicensis, secretary; John Dunn, of Gurie; Michael Crane. Of Aprutium, Quadraroli; Septimius De Tulancingo, Vincent Castellanos, and Campeche. Of Fodianum, Peter Nuñez, already a bishop of Pomares, number 527. Of Puteolanum, Joseph Pétrone. Of Methone, Francis Melchiori. Of Melphictensis, Luvenacensis, and Terlizzi, Paschal Gioia. Of Carpathensem, Joseph Fernandez and Barragan. Of Cassanensis, Brunone Occhiuto. ABBOT: Of the monastery of Saint Alexander of Oroshi, on Mount Miriditarum, Joseph Gjonali, third of that name.

— POSTULATION OF THE SACRED PALLIUM: Finally, the Most Holy Pope granted the sacred Pallium to the metropolitan churches of Bologna, Genoa, Guatimalensis, Baltimore, Gujabensis, Dublin, and Rennes, by right of succession; to the archdiocese of Babylon, of the Latins; and, by privilege, to the cathedral church of Annecy.

[*Latin ed. p. 528*]

From the Acts of the Apostolic See - Official Commentary on the LETTER to the Reverend Father Vincent Bernadot, O.P., Director of the periodical

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"La Vie Spirituelle": We commend his efforts to foster solid piety, guided by the teachings of St. Thomas.

Beloved son, greetings and apostolic blessing.

Since no one can deny that the teachings of St. Thomas are of great value in illuminating matters pertaining to the spiritual life, both ascetic and mystical, and since we ourselves have, on several occasions, openly declared this, we have received with great pleasure the first volumes of the periodical "La Vie Spirituelle," which you wisely direct; for this publication seeks to explain what light the Prince of the Schoolmen sheds on these profound questions. Furthermore, since many in this age neglect the supernatural life, or, in its place, cultivate a superficial and weak sense of piety, it is absolutely necessary that we frequently recall what has been handed down on this matter, along with the Holy Scriptures, by the holy Fathers, and especially by the master, St. Thomas, who has so clearly explained the doctrine concerning the elevation of the supernatural life; and also, what conditions are necessary for the progress of the grace of virtues and of the gifts of the Holy Spirit, in which the perfection of the mystical life consists. You have undertaken to explain these matters most learnedly and thoroughly in your publication. Therefore, we not only commend your diligence, but we also earnestly pray that this publication may be of great benefit to many. With these hopes, and as a pledge of our paternal benevolence, we impart, with a generous heart, our apostolic blessing to you, beloved son, and to all those who have in any way assisted or read this pious publication "La Vie Spirituelle."

Given at Rome, near the Holy Peter, on the 21st day of the month of December, in the eighth year of Our Pontificate.

BENEDICT XV.

[*Latin ed. p. 529*]

Acta of Pope Benedict XV, II, 529; To the Most Reverend Lords, Michael Cardinal Faulhaber, Archbishop of Munich and Freising, and Adolph Cardinal Bertram, Bishop of Breslau, and to the other Bishops of Bavaria, in response to their common letter from the annual meeting.

Beloved sons and venerable brothers, greetings and the apostolic blessing.

Before you depart from the meeting in Freising, it seemed fitting to send you a letter, so that, testifying to your close union with the Holy See of Saint Peter, you might share with Us your consolations and concerns. We are, above all, deeply grateful for the sentiments of devotion that you express towards the Vicar of Christ, for the paternal assistance rendered to those little ones, in need because of the war; in this, we marvel at the triumph of Christian charity, and all praise is due to the Giver of all good things, who,

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even in these most difficult times, does not fail to raise up the poor and the afflicted through His mercy.

As for the education of young people in public schools, it is certainly of great importance and significance that, as befits Catholics, it be properly maintained, since it is the concern of all that the holy religion and faith suffer no detriment among so many young people; and this is especially true in this city, which has always happily enjoyed prosperity and glory through the Catholic faith.

For what pertains to the discipline and method of studies, by which young minds are taught, without regard for religion, to judge good and evil with equal measure, unless it is by those learned men who, at some time, have corrupted the very republic itself? Indeed, all civil duties derive their form and strength only from those duties by which men are joined to God, obeying, willing, and sanctifying good and evil. Therefore, we honor you for your merits, who, upholding paternal authority, strive with the utmost diligence to ensure that young people look forward to better times.

In this matter, we are confident that the agreement that is to be concluded between Bavaria and the Apostolic See by Our Legate, Eugenio Pacelli, will be brought about, and we are grateful to you for your diligent efforts in preparing for such an agreement; all the more so because we greatly desire that this much-awaited work be completed by Our own Nuncio, as We have said.

Furthermore, continue zealously, beloved sons and venerable brothers, for the good of your dioceses, as you have begun.

[*Latin ed. p. 530*]

530 Acta Apostolicae Sedis - Official Commentary. We, looking up to heaven, earnestly implore through prayer that the most important matter concerning the school may have a happy outcome. And as a pledge of the divine favor and also of Our paternal benevolence, We impart, with a generous spirit, the apostolic blessing to you, Our beloved sons and venerable brothers, and to the entire clergy and people, to each and every one of you. Given in Rome, at Saint Peter's, on the fourteenth day of the month of October, in the year 2021, in the eighth year of Our pontificate. BENEDICT PP. XV.

To MARIUS EDWARD MARIETTI, KNIGHT, concerning the recently published Latin-Italian Missal from his printing press. Beloved son, greetings and the apostolic blessing.

Since nothing can be more useful for the benefit of souls than what We do not approve of, you can be certain, beloved son, that you have pleased Us greatly with the Latin-Italian Missal which you have recently published from your printing press, presenting it with such excellent care and attention. We rejoice that you have undertaken this very task, which We desire

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above all else, namely, that the Christian people may participate with ever greater and more fruitful devotion in the divine work, through which the Redeemer pours forth, for our sake, the most precious blood of His human nature. For the more the faithful participate in this august sacrifice, the more they will share in all the good things that pertain to eternal salvation.

Since there are almost two reasons why popular piety does not, as much as possible, benefit from attending Mass, namely, ignorance of the Latin language and of the liturgy, We see that you have addressed both of these matters with this publication; which, indeed, is a most excellent undertaking, especially for the benefit of the Italians, who are in dire need of such assistance. Thus, anyone from among Our people – provided they are not completely uneducated and illiterate – will be able to easily follow every action of the priest when using this, before the altar where the sacred rite is performed, and will experience a wonderful spiritual delight and the fruit of divine grace through careful consideration of these things. Therefore, We give thanks to you and to those who, with their skill, have assisted you in preparing this edition of the Missal.

[*Latin ed. p. 531*]

The acts of Pope Benedict XV, number 531, and his teachings, have aided the members of the Benedictine Order, and in particular, we congratulate our beloved son, Edmund Battisti, and we pray to God for all good things for him, especially that this labor may be of great benefit to many. As for the apostolic blessing which you requested in your accompanying letter, not only for yourself, but also for your most faithful spouse, and your sweet children, and for your good assistants in the workshop, We, beloved son, impart to you and to all those you mentioned, the most heartfelt sign of divine graces and of Our paternal benevolence. Given in Rome, at Saint Peter's, on the tenth day of the month of November, in the year 1921, in the eighth year of Our pontificate. BENEDICT XV, Pope.

[*Latin ed. p. 532*]

532 Acta Apostolicae Sedis - Official Commentary: ACTS OF THE SACRED CONGREGATIONS. SACRED CONGREGATION CONSISTORIAL. DECREE CONCERNING CHURCHES. His Holiness, Pope Benedict XV, following the decrees of the Sacred Congregation Consistorial, provides for the following churches, each with its own pastor, as follows: November 11, 1921. — To the titular episcopal Church of Carpathensi, he appointed the Reverend Father Joseph Fernandez and Barragan, archpriest of the Basilica of Guadalupe in Mexico. — To the Cathedral Church of Cassano all'Jonio, he appointed the Reverend Brunone Occhiuto, pastor of the town commonly called San Proopio, in the diocese of Miletus. SACRED CONGREGATION OF THE COUNCIL OF MONTIVIDEO CONCERNING THE STIPENDS FOR MISSES. April 16, 1921. The

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Archbishop of Montevideo, through a suppliant petition, requested a solution from this Sacred Congregation regarding the following doubt: "In this Archdiocese of Montevideo, there is a custom of celebrating novenas and Gregorian Masses with a certain outward solemnity, for which the diocesan tax is greater than for simple Masses, even at a fixed hour. However, the doubt arises as to whether the total amount of this tax should be given to the celebrants, or whether a portion of it may be considered to be for the benefit of the parishes and churches, giving to the celebrants only that which corresponds to the stipend for a Mass at a fixed hour. The reasons for this doubt are these: the pastor assumes the obligation before the faithful to have Masses celebrated..."

[*Latin ed. p. 533*]

The Holy Congregation of the Council, 533, "celebrates Gregorian Masses and novenas of Masses (that is, all of them, except for the 'Gregorian' Masses, celebrated three at a time, or successively), and therefore it has 'the obligation to seek out priests, and it has the responsibility, particularly, for the Gregorian Masses: because, for example, if, after a certain number, these are interrupted for any reason, it must, at its own expense, have them recommenced from the beginning." Furthermore, these Gregorian Masses and novenas of Masses are often celebrated by the faithful in the home of the deceased, and sometimes with some outward solemnity."

OBSERVATIONS. - Since it is entirely clear, according to the general law, that the stipend for Masses must be fully transmitted to the priest celebrating, there remains nothing but to examine the reasons presented by the Reverend Ordinary, so that something may be retained from the one who transmits the offering.

The first reason is that the one transmitting the offering should compensate the priest for the burden and, perhaps, the labor of seeking out those who are willing to celebrate the Masses properly. But this reason is too general, and could be invoked by any pastor of a church: namely, if there is a burden and labor in that search, it is sufficiently compensated by the benefit that pastors experience from the fact that their church enjoys the proper frequency of divine services. Moreover, this burden and labor is necessarily connected with the office of the pastor of the church.

The second reason is that the pastor undertakes these Masses at his own risk, so that he himself would be burdened in conscience if the thirty-day celebration is interrupted, etc. But, on the contrary, it seems that the obligation of celebrating Gregorian Masses, even those assigned individually, should be fully paid to the priest celebrating, who, according to canon 833 of the Code, is not only obliged to celebrate Masses, but also to fulfill all the other circumstances and conditions attached to those Masses. Otherwise, abuses and even disputes could easily arise between the priest celebrating

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and the pastor of the church, especially concerning the interruption of the celebration of these Gregorian Masses.

The third reason given is that these thirty-day celebrations sometimes take the place of a proper funeral. But, even granting this, it does not necessarily follow that these Masses should be subject to canon 1237 § 2, which deals with proper funeral rites. However, to the extent that this custom of celebrating novenas or thirty-day Masses in place of a funeral is sufficiently established in that region, it would seem advisable that, in addition to the alms for the Masses, the Ordinary should establish a fee for a more solemn or proper funeral, and assign it to the church or to the pastor or parish priest, appropriately warning the faithful about this matter. Therefore, etc.

[*Latin ed. p. 534*]

534 Acta Apostolicae Sedis - Official Commentary - Furthermore, the Sacred Congregation of Councils, in a plenary assembly of Most Reverend and Most Reverend Fathers held in the Apostolic Palace at the Vatican, on April 16, 1921, concerning the question: Whether and how the excess of alms collected at Masses can be retained in the case of external solemnities in the celebration of Masses or when funerals are held in their place, decided that the following should be answered: RESOLUTION. As proposed, negatively, and in the following sense: "In the case of external solemnities in the celebration of Masses, or when funerals are held in their place, the Bishop shall prescribe a moderate tax, not to be taken from the alms of the Masses, in compensation for the parish priests and rectors, and shall inform the donors of this." Furthermore, having been informed of the foregoing by the Most Holy Lord, Our Pope Benedict, of blessed memory, Pope XV, through the undersigned Secretary, in an audience held on the following day, His Holiness deigned to approve and confirm the resolution given. I. MORI, Secretary. Diana. CONCERNING FUNERAL RITES, July 9, 1921. Four parish priests of the city of Diana, with the consent of the Ordinary, appeared before this Sacred Congregation, contesting against the Chapter of the cathedral concerning the right of funeral rites, claiming that the Chapter exercises this right without obliging itself to pay the parish priests the customary portion. Indeed, the Chapter intends to prove, through the testimonies presented, the exercise of said right, from which, according to the apostolic constitution of September 25, 1850, and the decrees of July 7, 1851, the diocese of Diana was established: from that time, it claims that the cathedral church, through its Chapter, has buried the deceased only at the request of heirs or relatives in any of the newly established parishes in the city, or without the knowledge and consent of the parish priests, and without paying them any customary funeral fee. - In contradiction to these testimonies, the parish priests maintain that the aforementioned practice has only been tolerated since the year 1916, for the sake of peace and to avoid scandal; now, however, they demand that the prescriptions on this

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matter, as established in the Code, be observed even in the city of Diana. STATEMENT OF THE CASE. Because this is a case concerning custom, and because the parties involved earnestly request that the matter be referred to the plenary assembly, the following question is now being considered: Whether and how the right of funeral rites pertains to the Chapter of the cathedral in this case.

[*Latin ed. p. 535*]

Sacred Congregation of the Council, 535. Since the pastors clearly have an intention founded in law, and openly confirmed by canonical laws, the burden now falls upon the Chapter to prove by what law and particular title it performs such funeral rites, which, by common law, belong to the pastors of the deceased. Regarding this matter, the Chapter presents the following arguments:

OBSERVATIONS.

Firstly, since in this case proceedings are initiated only at the request of the heirs or parents, it must be presumed that the deceased has chosen the cathedral church as the church for his funeral, unless the contrary is proven; and this choice should certainly be upheld (cf. canon 1223). But this is incorrect. Indeed, to prove the choice of a burial place or a church for funeral rites, no written document or solemn legal formality is required; rather, according to the explicit wording of canon 1226: "A choice made or a mandate given may be proven in any legitimate way"; and furthermore, according to §2 of the same canon, "if the deceased has chosen a burial place through another, this person may fulfill his mandate even after the death of the mandator." But from this, it does not necessarily follow that, unless the contrary is proven, the testimony of relatives or heirs regarding the will of the deceased concerning the choice of burial place must be believed, or that they claim to have received a mandate from the deceased regarding this matter. For, indeed, the closest relatives and heirs are the best witnesses of the will of the deceased, and proof by witnesses is indeed legal proof (cf. canon 1791 § 2); however, it does not follow that, if the deceased has expressed no will on the matter, and has given no mandate to them, the relatives must supplement the deceased's omission as if they had a presumed or interpretative mandate. Otherwise, there would be no case in which a choice would not intervene, and therefore, nothing would be done regarding the rights of the pastors, which, indeed, the Code intended to protect. In other words, since the choice of a burial place outside of one's own parish limits the rights and revenues of the pastors, a strict and evident interpretation of the matter is necessary; and since the law grants the faculty of choice only to the will of the deceased, no other person's judgment enters into this matter, and no one is permitted to choose a burial place for the deceased unless they have legitimately proven that they have received a mandate from the deceased regarding this matter.

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Furthermore, the Chapter is not aided by the royal rescripts of November 11, 1751, and March 15, 1742, article 2, cited by Salzano, Dir. can., vol. II, page 169, where, on behalf of the king, "free faculty is granted to the dying and to their relatives and heirs to choose the burial place," or it is prohibited "that the dying, their relatives and heirs, cannot be prevented from choosing the burial place where they wish." For these rescripts, since they do not pertain to the concordat law between the Apostolic See and the civil power, are of no importance, either, in proving a customary practice.

[*Latin ed. p. 536*]

536 Acta Apostolicae Sedis - Commentarium Officiale: The matter under discussion concerns a claim made in the Kingdom of Naples after certain events, although there is no evidence of this from other sources. Another point of contention arises from the fact that the Chapter is said to have habitual care over the souls, which is actually exercised by the Dean. The parish priests strongly object to this, arguing that in this case, both habitual and actual care belong to the parish priest, who is also the Dean. However, no one should intervene in this dispute: whether one decides in favor of the Chapter or the parish priest-Dean, "the matter is settled" with respect to the four parishes in the city. If the Chapter claims to have habitual care not only over the cathedral parish church, but also over the other four parishes in the city, it is claiming something so far removed from common law that it cannot even be adequately expressed in words; and therefore, it would be necessary to present absolutely conclusive arguments to support this claim: which is not the case here, indeed, even the very act of creating the diocese, the cathedral chapter, and the parishes, whether by silence or by explicit words, contradicts this claim. Furthermore, whatever may be thought about these arguments, it is clear that the Chapter does not obtain, through the same claim, the right to bury without having to pay the parish priests their canonical share: for, even if, contrary to fact, it had the right to bury, or the title of elected burial, the clear prescription of canon 1236 would apply: "Unless a particular law provides otherwise, whenever a deceased person is not buried in his own parish church, the parish share is due to the parish priest of the deceased." Therefore, the Chapter is forced to appeal to a "particular law" that would apply in this case. But this is no better. It argues that it has prescribed against the parish priest's right to a share, through a liberatory or extingishing presumption, and it cites royal decrees of June 5th and 7th, 1755, in which it is stated: "The parish priest has no right to take any portion of the things collected at the funeral, which belong to the heirs and relatives of the deceased...; the diocesan curia and any other ecclesiastical person must refrain from any collection of a funeral tax." But, as we have already pointed out, these royal rescripts have no weight in canon law, and they prove nothing other than an impediment to acting and claiming, on the part of the curia or the parish priest; an

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impediment that not only does not help, but actually undermines the proof of a legitimate prescription. Therefore, the Chapter has nothing left but to claim prescription by possession without any title. But it cannot succeed in this either, for there are multiple reasons to object. First, according to the common doctrine enunciated, for example, by the Sacred Roman Rota, decision 504, n. 10, part. XIV in Recent: "In order for a 'prescription' to arise in those who have a successive right, a request is necessary?"

[*Latin ed. p. 537*]

The Holy Congregation of the Council, 537, concerning "repudiation and acquiescence of the petitioner"; in this case, we are dealing with a matter that involves a successive claim, since the Chapter is obligated to grant the canonical portion as many times as it buries foreigners: therefore, it would be necessary for the Chapter to demonstrate that it effectively denied the portion to the petitioner; which is by no means the case, since, on the contrary, witnesses seek to prove "that the Chapter has never paid the funeral expenses, and that they were never requested by the parish priest!" Therefore, in this case, the same argument is used as is most frequently employed by the Rota, as in the case of Burgen, concerning funeral expenses (223, from the recent, part XIV), no. 9, where the prescription of the parochial fourth was excluded "because the witnesses do not prove the petition with denial and subsequent acquiescence, as is required to establish the useful prescription and quasi-possession of not paying." And the reason is easily given: because the parish priest has no office, but only the power to demand the canonical portion; therefore, only those cases in which he has truly requested [payment] can give rise to a useful prescription of possession, if there has been acquiescence to the denial. And not only useful possession, but also the requisite period of time is lacking in this case. Indeed, as, for example, the Rota held in a case before Many (Decisions, year 1913, no. XXXIV), when it is a question of prescribing "against parochial rights, according to the canon of the Bishop in VI concerning prescription, the force of which, when the right is established - as when it concerns parochial rights which are subject to common law - requires forty years with a title or without a title of immemoriality." But how can it be established in this case that there is an immemorial title, if it is established by solemn documents that the Chapter itself was founded in the years 1850-1851? Given these circumstances, there is no need to follow the parties in their lengthy deductions concerning the witnesses and their testimonies; although in all of this, it would be entirely appropriate to favor the Chapter, i.e., to accept that the Chapter asserts the exercise of its right from the beginning, but the aforementioned circumstances always prevent a conclusive proof from being considered. Therefore, etc. - The case was presented at the plenary sessions of the Holy Congregation of the Council, on July 9, 1921. The Eminent Fathers considered it necessary to respond

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to the proposed question: RESOLUTION. "Negatively, unless it concerns the burial of a legitimately deceased person or a gentile, saving, however, in these cases the canonical portion to the respective parish priest of the deceased." This resolution, presented by the undersigned Secretary of the Holy Congregation, at an audience held the following day, was deigned to be approved and confirmed by His Holiness, Pope Benedict, of blessed memory, Pope. 1. AtííA, vol. XIII, no. 14. — 23-11-1921. MORI, Secretary.

[*Latin ed. p. 538*]

538 Acta Apostolicae Sedis - Commentarium Officiale

SACRA CONGREGATIO DE RELIGIOSIS

I. DECLARATIO DE CONSTITUTIONIBUS RELIGIONUM AD CODICEM CONFORMATIS, QUAE AD SACRAM CONGREGATIONEM SUBICIENDAE SUNT, EX DECRETO 26 IUNII 1918.

Iam ab anno 1918, haec Sacra Congregatio mandavit ut omnes religiones iuris pontificii suas regulas, seu constitutiones, ad praecepta Codicis iuris canonici conformatas, emendarent, et textum emendatum eidem pro revisione subicerent. Verum, non pauca obstiterunt quominus revisio expedite procederet; praeterquam quod numerus ingens constitutionum iam tempus non breve exigat pro revisione, plures ex illis quae ad Sacram Congregationem missae fuerunt, non responderunt conditionibus necessariis ad hoc ut textus emendatus probari possit. Ut haec incommoda vitentur, Sacra Congregatio monet Moderatores et Moderatrices generales religionum, nec non monialium Antistitas, ut in hoc negotio sequentia pra oculis habeantur:

I. Ad hanc Sacram Congregationem mittendae sunt tantummodo constitutiones, seu statuta, aut quocumque alio nomine appellantur, quibus regitur religio, quorum textum a Sede Apostolica approbatum fuisse constet.

II. Cura emendandi textum Codici conformatum sit ipsi Ordini aut religioni vel monasterio, et duplex exemplar, ita emendatum, mittatur ad hanc Sacram Congregationem.

III. Emendetur textus tantummodo in iis in quibus constitutiones Codici opponuntur, vel aliquid addatur si deficiat, et adhibeantur, quoad fieri potest, verba ipsius Codicis.

IV. Si occasione huius revisionis aliqua religio velit quoad mutationes non necessarias, seu a Codice non praescriptas, in constitutiones inducere, hoc ne fiat in textu emendato, de quo superius, sed mittantur ad Sacram Congregationem, pro facultate obtinenda, separatae preces, in quibus et textus iampridem approbatus et textus propositus, per extensum referantur, rationes mutationes suadentes proferantur. Petitio autem non acceptabitur ab hac Sacra Congregatione nisi mutationes in Capitulo generali

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fuerint discussae et approbatae.

[*Latin ed. p. 539*]

The Holy Congregation of Religious Orders, however, declares that concerning minor matters, or the substitution or abrogation of clauses which, due to the passage of time and differences in customs, have already fallen into disuse, or other similar matters, the consent of the General Council suffices. Furthermore, in order that discrepancies may not arise in the identical text of constitutions, which are used by different houses or monasteries of the same Order or Institute, the Holy Congregation has decreed that a single text of amendments for such constitutions must be accepted by all houses, either through the care of the houses themselves, or through a text prepared by this Holy Congregation. Given at Rome, from the Secretariat of the Holy Congregation of Religious Orders, on the 26th of October, 1921. THEODORUS CARD. VALER DI BONZO, Prefect. L. © S. Maurus M. Serafini, Ab. O. S. B., Secretary.

II. INSTRUCTION CONCERNING THE SECOND YEAR OF NOVITIATE. In several religious orders, the constitutions prescribe a second year of novitiate, and the Superiors have the faculty of employing the novices in the works of the Institute, provided that this is done. However, in order that the religious instruction of the novices may not suffer any detriment, and that abuses which might arise may be prevented, this Holy Congregation, responsible for the affairs of religious congregations, has carefully considered the opportunity for a revision of the constitutions of individual religious orders, in conformity with the Code, and the Most Eminent Fathers, in a plenary session on the 17th of June, 1921, having considered all matters, expressed their opinion, which was reported to His Holiness, Pope Pius XV, in an audience on the 25th of the same month. His Holiness approved of this opinion, and also ordered that an instruction be issued on this matter, to which all religious congregations, in which the second year of novitiate is carried out according to the prescriptions of the constitutions, must fully conform.

I. Therefore, whenever the constitutions prescribe a second year of novitiate, and in it allow the novices to exercise themselves in the proper works of the Institute, this is permissible, provided that the fundamental laws of the novitiate are observed. It must, therefore, be kept in mind that the novitiate is an institution for instructing the minds of the novices, in matters pertaining to the eradication of vices, the curbing of the passions of the soul, the acquisition of virtues, and the learning of the regular life.

[*Latin ed. p. 540*]

Acts of the Apostolic See – An official commentary on the constitutions, pertaining to the study; so that novices may learn to strive for Christian perfection through the observance of evangelical counsels and vows, in

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which the specific purpose of each religious is found. And, justly and deservedly, a period of more than one year is prescribed for the novitiate in some Institutes, especially those whose religious are engaged in external works, since, being exposed to various distractions and the dangers of the world, they require a more solid and firm foundation of spirit. Therefore, this Holy Congregation commands that, even during the second year of the novitiate, spiritual discipline and the life of prayer should be diligently attended to above all else.

II. However, it is permissible, during the second year of the novitiate, for a novice or novices of the Institute to engage in the works of the Institute, if the constitutions permit; but this must be done prudently and moderately, solely for the instruction of the novices; and they should never be so occupied in these same works that they perform the duties by themselves (e.g., by substituting for absent teachers or quasi-teachers in schools, or by ministering to the sick in hospitals), but rather they should be engaged in the works themselves under the direction and supervision of a serious religious, male or female, who will teach by word and example.

III. If, at times, it is permitted by the constitutions for a novice or novices, during the second year of the novitiate, to be sent to the works of the Institute outside the novitiate house, this should be done only as an exception, and only if there is a serious reason that warrants it; but this reason must pertain to the novice or novices themselves, so that they cannot be sufficiently instructed in the novitiate house, or that their presence there would be detrimental; never, under any pretext, can necessity or utility of the religious life be a sufficient reason, if, for example, the lack of religious in the works of the Institute were to be made up by the novices.

IV. Whether the novices remain in the novitiate house or elsewhere, they must abstain from all external work for the two months preceding their profession; if they are outside the novitiate, they must be recalled, so that, during the entire two months, they may prepare themselves, strengthened in the spirit of their vocation, for their profession.

V. Our Lord Benedict XV, after having heard from the Most Reverend Father Secretary in an audience held on November 3, 1921, approved the tenor of this Instruction and commanded that it be observed by all. Given at Rome, from the Secretariat of the Holy Congregation for Religious, on the day, month, and year above mentioned.

TH. CARD. VALFRÉ DI BONZO, Prefect.

[Signature] S. Maurus M. Serafini, Abbot, O.S.B., Secretary.

[*Latin ed. p. 541*]

SACRED CONGREGATION FOR THE PROPAGATION OF THE FAITH

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I. DECREE CONCERNING THE APOSTOLIC VICARIATE OF THE SANDWICH ISLANDS, BELONGING TO THE AUSTRALASIAN MISSION, OF THE UNITED STATES OF AMERICA, AND ITS ATTACHMENT TO THE NORTHERN APOSTOLIC MISSION.

After the Sandwich Islands, located in Oceania, were placed under the jurisdiction and authority of the United States of America, dealings and commerce between these islands and this republic have become more frequent, and maritime routes have become easier. Furthermore, many have come from America to the Sandwich Islands and have settled there. Considering these things, this Sacred Congregation has judged it highly beneficial to the propagation of the Christian name and to the spiritual welfare of the inhabitants, that the Apostolic Vicariate of the Sandwich Islands be separated from the Australasian Apostolic Mission and, in the future, be united with the Apostolic Mission among the United States of America.

This opinion, reported by the undersigned Cardinal Prefect of this Sacred Congregation, His Most Holy Eminence, Benedict, of the Divine Province, Pope XV, in an audience on the twentieth day of this month, has been graciously approved and confirmed by the same Holiness, and the present decree concerning this matter has been issued.

Given at Rome, from the offices of the Sacred Congregation for the Propagation of the Faith, on the twenty-first day of October, 1921.

G. M. CARD. VAN ROSSUM, Prefect.

-f- Peter, Archbishop, Secretary.

[*Latin ed. p. 542*]

54. ”Acta Apostolicae Sedis - Official Commentary II. DECREE CONCERNING THE APOSTOLIC VICARIATE OF GUAM, WHICH IS ADDED TO THE APOSTOLIC DELEGATION OF THE PHILIPPINE ISLANDS. The Apostolic Vicariate of Guam, hitherto placed under the jurisdiction of the Apostolic Delegate of Australasia, has suffered detriment to its spiritual needs, not only because of the distance of the place, but also because of the altered condition of affairs; therefore, it seemed opportune to this Holy Council to remove the aforementioned vicariate from the jurisdiction of the Apostolic Delegate of Australasia, and to add it henceforth to the Apostolic Delegation of the Philippine Islands. Concerning this matter, the undersigned Cardinal Prefect of this Holy Congregation, Our Most Holy Father Benedict XV, in audience on the twentieth day of this month of October, deigned to approve and to order the publication of this decree. Given at Rome, from the offices of the Holy Congregation for the Propagation of the Faith, on the twenty-first day of October, 1921. G. M. CARD. VAN ROSSUM, Prefect. h. rB S. fPetrus Ep.us Diocletanus, Secretary. III. NOMINATION. Our Most Holy Father, by decree of the Holy Congregation for the Propagation of the Faith, on the

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thirty-first day of October, 1921, appointed the Reverend Father Marius Giardini, of the Congregation of Clerics Regular of Saint Paul the Apostle, parish priest of the church of Saints Blaise and Charles at Catinaria in the City, as Apostolic Delegate in the Japanese Empire.

[*Latin ed. p. 543*]

543 The Holy Congregation of Rites. THE HOLY CONGREGATION OF RITES, for the City and the World, extends to the entire Church certain feasts with their proper offices and Masses. Decree. His Most Holy Lordship, Pope Benedict XV, heeding the votes and prayers of many Holy Prelates, and moved by particular and weighty reasons, after consultation with the Congregation of Holy Rites, has decreed that the following feasts, with their proper and approved offices and Masses, shall be extended to the entire Church, and shall be inserted in the Calendars and in the Proper of the Saints of the Roman Breviary and Missal in future editions, and in the respective places: I. The Sunday within the Octave of Epiphany, the Feast of the Holy Family of Jesus, Mary, and Joseph, shall be a Double Major (with the same privileges and rights as the aforementioned Sunday), as well as the Octave. II. On March 24th, the Feast of Saint Gabriel the Archangel, shall be a Double Major. III. On June 28th, the Feast of Saint Irenaeus, Bishop and Martyr, shall be a Double, in Bisceglie, with the Feast of Saint Leo the Pope and Confessor being transferred to July 3rd, his Nativity. IV. On October 24th, the Feast of Saint Raphael the Archangel, shall be a Double Major. It is well known how fitting and salutary it is to foster and promote, for the sake of domestic families and of society itself, the Association of the Holy Family established by the Apostolic See, strengthened by laws, and endowed with special indulgences and privileges for its members and for the parish priests, and for this very purpose, throughout the entire Church, to observe and celebrate the Holy Family of Nazareth with a special liturgical rite, and with constant and fruitful meditation on its benefits and imitation of its virtues. It is equally fitting to commemorate, with religious solemnity, the divine mission of both Archangels, namely Saint Gabriel, who announced the mystery of the Incarnation of the Lord, and Saint Raphael, whose benefits bestowed upon the family of Tobias are described in the Sacred Scriptures. 1 1 Cf. Decree auth. S. R. C, nn. 3777, 3778, 3802 (vol. III).

[*Latin ed. p. 544*]

544 Acta Apostolicae Sedis - Official Commentary.

On this occasion, it pleased the Most Blessed Father also, with a grateful heart and in a liturgical manner, to honor Saint Polycarp of Smyrna, Bishop, and Urban of Lyons, and Eleutherius, who in his work *Against Heresies*, book III, left a magnificent testimony for eternal memory concerning the Church of Rome, writing: ”For to this Church, because of its

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principal character, it is necessary that every Church should agree, that is to say, those who are everywhere and are faithful... Through this (order and succession) of the Roman Pontiffs, those things which were handed down by the Apostles in the Church, and the proclamation of the truth, have reached us." 1 It must also be noted that, as authentic documents attest, Saint Eleutherius, Roman Pontiff, consulted the Church of Lyons by letter concerning certain questions, and Saint Irenaeus, the writer of the letters, revealed the Apostolic traditions which the Church of Rome had preserved. Therefore, the same Most Holy Lord, having approved all four of the aforementioned feasts, with their respective rites, offices, and Masses, and having granted them to the entire Church of the Latin rite, ordered that both the secular and regular clergy, and all others who are bound by command to recite the Divine Office, should observe them from the year 1922 following; however, with the power granted to the Ordinaries of the places and the superiors of the major Orders or regular Congregations, so that, in the Lord, they may judge it expedient to postpone this obligation for their subjects to a later year, 1923. From then on, the rubrics and decrees of the Apostolic See shall be observed, with respect to the aforementioned feast, as they are. Contrary provisions notwithstanding. 2

October 26, 1921.

His Eminence, Cardinal Vico, Bishop of Porto and Santa Rufina, Secretary of the Holy See.

L. Verde, Secretary.

I. P. Migne, *Cursus Patrologiae*, series Graeca, vol. VII, col. 849, 851.

Proper Office of Rome (May 27): Saints John I, Urban I, and Eleutherius, Popes and Martyrs, Lesson VI.

[*Latin ed. p. 545*]

545. The Holy Congregation of Rites, in ROMA, for the feast day after the Octave of the Most Holy Body and Blood of Christ, approves the proper Office and Mass with responses, pertaining to the Most Sacred Heart of Jesus. By the authority of numerous Reverend Ordinaries of dioceses, Our Most Holy Lord Benedict, Pope XV, having been informed by the undersigned Cardinal, Prefect of the Sacred Congregation of Rites, has deigned to approve the proper Office and Mass with responses pertaining to the Most Sacred Heart of Jesus, which were presented and reviewed by the aforementioned Sacred Congregation, as is shown in the separate example provided, and has decreed that they be used on the feast day after the Octave of the Most Holy Body and Blood of Christ. The particular reason and purpose of this feast, along with the proper Office and Mass, is to commemorate the love of Our Lord Jesus Christ in the mystery of the Eucharist, which is explained more fully in the Sacred Scriptures and in the works of the holy Fathers and Doctors of the Church, and is also indicated

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in that pious, customary, and by the Most Holy Pope Pius VII approved prayer: "Ecco fin dove è giunta, etc." Furthermore, through the repeated supplications and the desires of Our Blessed Father, a further purpose of this feast is to more strongly stir up in the hearts of the faithful trust and devotion in the mystery of the Most Holy Eucharist, and to more fervently inflame their hearts with the divine love with which Our Lord Jesus Christ, burning with infinite charity in His Sacred Heart, instituted the Most Holy Eucharist, and in that same most sacred Heart guards and loves His disciples, living and remaining in them, just as they live and remain in Him, who offers and gives Himself to us in the mystery of His Most Holy Eucharist, as a victim, a companion, food, sustenance, and a pledge of future glory. Moreover, this same Holiness, at the request of the secular clergy of this esteemed city and of individual dioceses, has benignly granted a double indulgence, observing the usual regulations and decrees of the Apostolic See. Contrary decrees notwithstanding. November 9, 1921. [Signature] A. CARD. Vico, Bishop of Portuense and Santa Rufina, Prefect of the Sacred Congregation. [Signature] L. S. Alexander Verde, Secretary. *Raccolta di orazioni e pie opere per le quali sono state concesse dai Sommi Pontefici le sante indulgenze.* Rome, 1898, p. 106, n. 73.

[*Latin ed. p. 546*]

546 Acta Apostolicae Sedis - Official Commentary

ACTS OF THE SACRED ROMAN ROTA

DIOCESE Z. NULLITY OF MARRIAGE

Under the blessed reign of Pope Benedict XV, in the seventh year of his pontificate, on May 19, 1921, the Most Reverend Fathers, Doctors Maximus Massimi, Franciscus Solieri, and Ioseph Florczak, Auditors *de turno*, in the case of the Diocese Z. concerning the Nullity of Marriage, between the Lady Mathildis N., represented by her legitimate procurator, Doctor Christoforus Astorri, advocate, and the Lord Ioannes X., represented by his legitimate procurator, Doctor Henricum Benvignati, advocate, with the Defender of the Bond intervening and arguing in the case, rendered this interlocutory judgment. By two decisions of the Sacred Rota, one pronounced before Many on May 23, 1912, and the other pronounced before Lega on August 1, 1913, it was declared that there was no proof of the nullity of the marriage contracted in the city L. on July 2, 1892, between the Lord Ioannes X. and the Lady Mathildis N. (cf. S. B. Rotae Decisions or Sentences, vol. IV, p. 250, and vol. V, p. 485). Therefore, Mathildis, the plaintiff in the case, first filed an appeal against the other judgment, and then, at the suggestion of the Defender of the Bond, she renounced the appeal and requested restitution *in integrum* before the Sacred Congregation. The

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matter was interrupted for a long time, so that the response of the Supreme Tribunal did not come until the end of the year 1919: "Let her use her right before the Tribunal of the Sacred Rota according to canon 1603, no. 5." This was notified to our Tribunal on April 19, 1920, at the request of the plaintiff's advocate. The Defender of the Bond opposed Mathildis' intention, to which her husband did not object. Therefore, the question is raised today: "Whether the case should be admitted for a new examination."

In Law. - It is known that the right or privilege of matrimonial cases, which never pass into a final judgment, so that they can always be withdrawn.

[*Latin ed. p. 547*]

Rome. Session 547. It is permissible, if new arguments are available (according to the Constitution of Benedict XIV, by the grace of God, § 11; Instruction of the Holy Congregation concerning the Propagation of the Faith, year 1883, § 30). This rule is confirmed by the Code of Canon Law (canon 1989), which expressly requires that the new arguments or documents presented be of sufficient gravity, so that in these cases, after a second judgment in conformity, a further presentation may be admitted (canon 1903). The arguments or documents must be of sufficient gravity, not that they must be of the highest gravity, as is clear either from the very wording of the law, which elsewhere distinguishes between degrees of gravity (cf. canon 1786). Much less is it required that they be conclusive, as the law requires, when the matter is of granting restitution in full against a judgment, due to documents discovered later: for these must definitively prove a fact that is new and demands a contrary decision (canon 1905, § 1, no. 2). In fact. - The plaintiff's advocate, in order for the case to be admitted for a new examination, presents two types of documents and arguments: certain copies of contracts, handwritten, signed by Mathildis, and certain extrajudicial testimonies. Regarding the first, the plaintiff's advocate believes he can prove that Mathildis' mother administered the plaintiff's assets: "that the mother absorbed all the administration of the daughter's assets, even though the daughter had long been of age and capable of attending to them." However, since the records contain a contract in which Mathildis "gave to her mother the most extensive powers to manage and administer all of her assets in the best interests," the documents newly presented are nothing more than consequences or executions of a convention already known. Therefore, it seems that nothing new can be deduced from them, which would be of any importance. Something else must be said about the extrajudicial testimonies, which refer to Mathildis, who, on the very day she married John, gave a ring, a pledge of faith and eternal love, to a certain James, to whom she had previously been betrothed. From this, the plaintiff's advocate derives an argument for forced marriage, which he claims is both grave and new. This argument was presented to the judges

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of the court at the end of the second instance. Who, with the consent of the Defender of the Bond, decided that an investigation should be made regarding this matter. But the investigation was carried out improperly. Indeed, the investigation was carefully conducted regarding the purchase of the ring by Mathildis, so that it was conclusively established that she had purchased the ring. However, the investigation was not conducted regarding the destination of the ring, so that it was not established to whom the ring was given as a gift. However, after the instruction...

[*Latin ed. p. 548*]

548 Acta Apostolicae Sedis - Commentarium Officiale supplementum: Cum ad definitionem causae pervenerit, Patres declaravit illud factum esse "valde grave et significativum," addentes probationem esse omnino aequivocam et non concludentem ad intentionem emendantem, cum nullimode evinci posset utrum fuisset destinatus Iacobo, vel ipsi Ioanni cui Mathildes nupsit (S. R. R. Dec., vol. V, pag. 490). Constat ergo Patres alterius turni grave aestimasse argumentum illud. Et sane, si non gravissimum, saltem grave argumentum dici debet. Nam tam solemnis et insolita protestatio voluntatis in alium, ipsa nuptiarum die, propensae, haud leviter iuvat ad probandas coactas nuptias, ut per se patet. Neque dicatur cum Vinculo Defensore, argumentum non esse grave eo quod possibile sit "unamare et alteri nubere." Verum quidem hoc; sed inde unum sequitur, argumentum non esse decretorium, non illud, argumentum non esse grave. Utique non est decretorium, cum solum non sufficiat ad matrimonii nullitatem evincendam. Conferendum est cum aliis hinc inde militantibus, quibus potest augeri, potest quoque elidi. Sed ab hac collatione abstinendum in praesens est, cum ea fieri nequeat sine totius causae discussione. Praeterea, tenendum est argumentum esse novum. Licet enim res asserta fuerit in altera instantia, iudices ob defectum probationis argumento illo uti non potuerunt. Quibus omnibus perpensis, Nos infrascripti Auditores pro Tribuni sedentes, Christi nomine invocato et solum Deum prae oculis habentes, dicimus, declaramus et sententiamus, causam ad novum examen admittendam esse, ad dubium propositum respondentes: Affirmative. Romae, in Sede Tribunalis, die 19 maii 1921. Maximus Massimi, Praeses. Franciscus Solieri. Ioseph Florczak. Ex Cancellaria, 31 maii 1921. T. Tani, Notarius.

[*Latin ed. p. 549*]

549 Diary of the Roman Curia. DIARY OF THE ROMAN CURIA. SACRED CONGREGATION OF RITES. Tuesday, November 15, 1921, in the Apostolic Palace at the Vatican, the Ordinary Congregation of the Sacred Rites was held, in which, for the judgment of the Most Reverend and Most Eminent Lords Cardinals, members of the same, the following matters were presented: 1. Introduction of the cause of beatification

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and canonization of the Servant of God, Leonardo Murialdo, Priest, Founder of the Pious Society of St. Joseph; 2. Confirmation of the cult long immemorially rendered to the Servant of God, Andrea Franchi, Bishop of Pistoia, of the Order of the Preachers; 3. Granting and approval of the Office and Mass, as well as the eulogy to be inserted in the Martyrology of the Eremite Order of St. Augustine, in honor of the Blessed Ugolino of Gualdo Cattaneo; 4. Concerning the revision of the writings of the Servant of God, Ezechiele Moreno Diaz, of the Eremite Recollect Order of St. Augustine, Bishop of Pasto. SECRETARY OF STATE. APPOINTMENTS. By a letter from the Secretary of State, the Holy Father deigned to appoint: November 6, 1921. The Most Reverend Cardinal Oreste Giorgi, Protector of the Pious Union for the Suffrage of the Departed in St. Barbara. November 12, Monsignor Monalduzio Leopardi, Secret Chamberlain participating in the Holy See. November 16, Monsignor Pietro Fumasoni Biondi, titular Archbishop of Dioclea, Consultor of the Holy Congregation "for the Eastern Church." November 17, The Most Reverend Cardinal Gennaro Granito Pignatelli di Belmonte, Protector of the Company of the Daughters of Mary Our Lady. November 19, The Reverend Father Antonio Zecchini, S.J., Apostolic Visitor of Lithuania, Latvia, and Estonia.

[*Latin ed. p. 550*]

550 Acta Apostolicae Sedis - Official Commentary. By Apostolic Briefs, the Holy Father has deigned to appoint: Apostolic Protonotaries, as participants: November 10, 1921. Monsignor Luigi Donadeo, of the archdiocese of Naples.

Monsignor Riccardo Memeo, of the diocese of Andria.

November 15. Monsignor Agostino Giovanni Froment, of the diocese of Aire and Dax.

Domestic Prelates of His Holiness: November 6, 1921. Monsignor Gennaro di Somma del Colle, of Rome.

November 10. Monsignor Fausto Baccanti, of the diocese of Albano.

HONORS. By Apostolic Briefs, the Holy Father has deigned to confer the following honors: The Order of Saint Gregory the Great, civil class, with commendation: October 20, 1921. To Mr. Alfonso Ronchi, of the archdiocese of Modena.

October 23. To Mr. Ludovico Lapierre, of the diocese of Montauban.

October 28. To Mr. Pietro Romanengo, of the archdiocese of Genoa.

November 3. To Mr. Giacomo Vastapane, of the archdiocese of Turin.

November 15. To Mr. Knight Rodolfo Arnoldo Burgisser, of the archdiocese of Florence.

November 19. To Mr. Celestino Cordonnier-Scalbert, of the diocese of Lille.

November 19. To Mr. Knight Romeo Santini, of Rome.

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The Order of Saint Gregory the Great, civil class, with knighthood: October 23, 1921. To Mr. Maurizio Barnicaud, of the diocese of Montauban.

To Mr. Attorney Giuseppe Benvenuti, of the diocese of Treviso.

To Mr. Viscount Massimiliano Giovanni Battista G. M. G. Le Grelle, of the diocese of Harlem.

November 25. To Mr. Accountant Luigi Ponzoni, of the diocese of Lodi.

November 26. To Mr. Professor Costantino Carichiopulo, of Constantinople.

November 29. To Mr. Pothin Arthaud, of the aforementioned archdiocese.

November 30. To Mr. Adriano Rodet, of the same archdiocese.

To Mr. Emilio Dorel, of the same archdiocese.

To Mr. Doctor Gabriele Choupin, of the same archdiocese.

To Mr. Giuseppe Neyret, of the same archdiocese.

November 4. To Mr. Marquis Roberto Giorgio L. M. De Bertoult, of the diocese of Arras.

November 5. To Mr. Raimondo Farget of the same diocese.

[*Latin ed. p. 551*]

Diarium Romanae Curiae. The Knighthood of the Order of St. Sylvester the Pope: October 28, 1921. To Mr. Giovanni Tamburini, of the diocese of Crema. October 29. To Mr. Engineer Giovanni Buridan, of the archdiocese of Turin. November 12. To Mr. Alfredo Ruggeri, of the archdiocese of Bologna.

THE HOUSEHOLD OF HIS HOLINESS. APPOINTMENTS. By letters from His Excellency Monsignor Maggiordomo, the Holy Father has deigned to appoint:

Extraordinary Secret Chamberlains of His Holiness:

June 20, 1921. Monsignor Giovanni Fehér, of the diocese of Vaccia.

July. Monsignor Luigi Hlavinka, of the archdiocese of Olmiitz.

Monsignor Giuseppe Vyvlecka, of the same archdiocese.

Monsignor Paolo Heider, of the same archdiocese.

Monsignor Riccardo Spacek, of the same archdiocese.

Monsignor Giovanni Hejcl, of the same archdiocese.

Monsignor Luigi Wagner, of the diocese of Cinque Chiese.

August 26. Monsignor Giovanni Avril, of the archdiocese of Lione.

October 29. Monsignor Giuseppe Zucca, of the archdiocese of Turin.

October 31. Monsignor Maurizio Ignazio Morissy, of the diocese of Plymouth.

November 8. Monsignor Giacinto Parisio, of the diocese of Susa.

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November 15. Monsignor Massimiliano Peinlich, of the diocese of Secovia.

Monsignor Nazareno Recanatini, of the archdiocese of Ancona.

Monsignor Giuseppe De Stefanis, of the diocese of Acqui.

November 17. Extraordinary Secret Chamberlain of Sword and Mantle of His Holiness:

Mr. Giuseppe Basilio Lorenzo Monteith (Scotland).

Honorary Chamberlains in Peacock Blue of His Holiness:

May 27, 1921. Monsignor Francesco Messik, of the diocese of Neosolio.

Monsignor Gustavo Testa, of the diocese of Bergamo.

October 28. Monsignor Levi Pires de Oliveira, of the archdiocese of Diamantina (Brazil).

Monsignor Gabriele Amador dos Santos, of the same archdiocese.

November 9. Monsignor Giuseppe Magnasco, of the archdiocese of Genova.

[*Latin ed. p. 552*]

Acta Apostolicae Sedis - Commentarium Officiale. Camerarius d'honore de Spada et Cappa, numero Sanctitatis: 18 Novembris 1921. Dominus Commendator Franciscus Saverius Seganti, Magister Gasarum Sacrorum Palatiorum Apostolicorum. Camerarius d'honore de Spada et Cappa supranumerarius Sanctitatis: 28 Octobris 1921. Dominus Franciscus Ferrata, de Roma. Capellanus, 1 Augusti, Communis Supranumerarius Capellae Pontificiae: 1921. Reverendissimus Pater Ermenegildus Carnevali, de Roma. NECROLOGIUM. 12 Novembris 1921. Domine Raimundus Plaza y Blanco, Episcopus Orihuelae vel Alicante. 15 » » Domine Petrus Alphonsus Iorio, Archiepiscopus titularis Nicomediae.

[*Latin ed. p. 553*]

ACTA APOSOLICAE SEDIS

LETTERS FROM THE APOSTOLIC SEE

TO THE APOSTOLIC PREFECTURE OF SCHLESWIG-HOSTEIN, THAT PART WHICH NOW BELONGS TO THE KINGDOM OF DENMARK, WHICH IS SEPARATED FROM THE REST OF THE TERRITORY, IS ADDED TO THE APOSTOLIC VICARIATE OF DENMARK.

BENEDICT XV

For the perpetual memory of this matter.

That these things may turn out well, prosperously, and happily for the

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Catholic name and for the eternal salvation of the faithful, We are reminded by the office of the highest Apostleship, which We exercise on earth, even though undeservedly.

Indeed, since it has seemed opportune, for the good of the spiritual welfare of the inhabitants of the Apostolic Prefecture of Schleswig-Holstein, who, after the events of the war, passed under Danish jurisdiction, to separate the aforementioned Prefecture, and to divide and detach the region belonging to the Kingdom of Denmark from the Prefecture itself, We, having carefully considered all the circumstances with due diligence, and after deliberation with Our Most Reverend Fathers, Cardinals, Prefects of the Congregation for the Propagation of the Faith, have judged it fitting to decree the following.

Namely, from certain knowledge and mature deliberation, and by the fullness of Our Apostolic authority, We separate from the rest of the territory, that region which constitutes a part of the Kingdom of Denmark, belonging to the Apostolic Prefecture of Schleswig-Holstein, and We assign the aforementioned separated region to the Apostolic Vicariate of Denmark, so that this Vicariate in the future shall have those boundaries towards Germany to which the Kingdom of Denmark now extends.

Furthermore, We decree these present Letters to be always firm, valid, and efficacious, and to remain in full force.

[*Latin ed. p. 554*]

Acts of the Apostolic See - Official Commentary 554, to fully effect and obtain, and to those to whom they pertain, or may pertain, now and forever, the fullest support; and thus it is to be rightly judged and defined, and anything attempted contrary to these, by anyone, knowingly or unknowingly, is to be declared null and void from now on. Notwithstanding all contrary things. Given in Rome, at Saint Peter's, under the Fisherman's ring, on the twenty-second day of October, in the year 1921, in the eighth year of Our Pontificate. P. CARD. GASPARRI, Prefect of the Secretariat of State. LETTER TO THE MOST REVEREND FATHERS, CYRILLUS SCOPOS, CLERI FRANCISCUS STOJAN, KORDAC, ARCHBISHOP OF CZECHOSLOVAKIA, TO THE ARCHDIOCESE OF PRAGUE, TO ANTONIUS VELINT, OF OLOMUC, WHOM WE ENCOURAGE WITH ALL OUR MIGHT, AND OTHERS, TO CONSULT WITH THE SUPPORTS. Venerable brothers, greetings and the apostolic blessing.

It often comes to Our mind, venerable brothers, that We are not a little comforted, having had the opportunity to see several beloved sons from Czechoslovakia, who undertook a long journey, led by their sacred pastors, in order that, in their name and in the name of their people, they might declare that faith and that supreme obedience to the Successor of the blessed Peter, which the Czech people, received from their ancestors, still maintains, even now, in such dangers, intact and inviolate. But We will not

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conceal from you that, although this is pleasing to Us, the memory cannot be entirely free from sadness, since We are also in longing for those who, although not many, have fallen into error, and in concern for others who do not seem to be well grounded in their duties. Therefore, We, preoccupied with the salvation of all Our sons, whom those most illustrious apostles of Slawonien have diligently striven to bind to this Apostolic See with the strongest bonds of faith and piety, have first of all considered it necessary to inquire into the causes for which these times have been so difficult for the Church in Czechoslovakia. In this regard, We have learned what you yourselves, venerable brothers, have before now, on this occasion, spoken of concerning these matters.

[*Latin ed. p. 555*]

555 The acts of Pope Benedict XV, inquiring about the difficulties you face and seeking your opinions, demonstrate true concern. Indeed, we have learned that the principal problem, which we lament, is that a portion of the clergy has not been sufficiently instructed, either in mind or in spirit, and this stems largely from the fact that seminaries for the clergy, which should be fully and perfectly established according to the prescriptions of sacred canons, are almost entirely lacking. Therefore, these letters of ours are directed solely to urging you to exert every effort to promote the proper instruction of your clergy; through this, the salvation of the people will also be greatly advanced. You know well, venerable brothers, how necessary it is for a priest, who must instruct others in the doctrine of Christ, to have a thorough and complete understanding of it: for this knowledge, in fact, enables him to be truly the light of the world, and to properly and piously exercise the ministry of truth that has been entrusted to him by the Church in the Christian people. He is, indeed, not only a teacher, but also a physician of souls. "For if," as it is written, "in his works passions live, with what presumption does he hasten to heal who bears a wound on his face?" Furthermore, he must demonstrate himself to be a good shepherd in governing the flock of the faithful; "as Our Predecessor, Pope Pius X, said, he is called another Christ, not only through the communication of power, but also through the imitation of virtues, thereby reflecting the image of Christ expressed in himself." Therefore, in the documents and letters of this Apostolic See concerning the clergy, it is frequently stated that a priest, as a legate, as a minister of Christ, as a dispenser of the mysteries of God, cannot adequately fulfill his most sacred office unless he is suitably instructed in the sacred and divine sciences, and unless he abounds in that piety which makes him a true man of God. Indeed, it is necessary that he be so established in the possession of truth and virtue that he is free from all error or vice; for if "he leans in any way, either through a life of impropriety or through incompetence, then great danger threatens both him and those over whom he presides." From this, it is clear how highly the seminaries

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for the clergy should be esteemed, since they are created to form the sacred youth, both through their curriculum of studies and through the practice of suitable virtues, for the priesthood; consequently, it follows that these same seminaries should especially receive those clerics who appear to flourish in doctrine and in the sanctity of their lives. Such institutions,

1 S. GREG. MAG., Reg. Past., i, 9.

2 Encycl. Lit. E Supremi, IV Oct.

3 LEO XIII, Lit. 4 MCMIII, enc. Fin dal principio, 8 Dec. 1902.

4 S. GREG. NAZ., Oratio apolog. de fuga sua, n. 4.

[*Latin ed. p. 556*]

Acts of the Apostolic See - Official Commentary S56: So that the secular clergy may properly establish their sacred studies as a foundation, it is clear to all that these must be such as the Fathers of the Council of Trent desired, and which this Apostolic See has always commanded, and especially has commanded in our time. Therefore, venerable brothers, We are your authors, and We urge you to ensure that there is no diocese in your nation in which a seminary is lacking; and where it exists, that you take care to arrange it according to the canons of the new code. But if the poverty or lack of resources of a particular diocese does not allow for the establishment of such an institution, the prescription of canon 1354 § 3 concerning interdiocesan seminaries must be observed. And here, with the utmost diligence, mindful of your duty, you must attend to how carefully the prescriptions of the Apostolic See regarding the preservation of distinctions in this matter and the selection of those to whom the discipline and governance of young clerics are entrusted must be observed, so that they may receive from them a proper formation in morals and in the spiritual life. "See that men of proven ability are appointed as 'prefects' to teach letters and disciplines," so that, in this matter of such great importance, you may rightly trust in the best. "Choose as 'rectors of discipline,' and as 'teachers of piety,' those who are recommended above all by prudence, counsel, and experience."

Especially, and indeed it is necessary, that for two years, students attend lectures in scholastic philosophy and diligently follow the master in that study, namely Thomas Aquinas; and then, for four years, under the same guide, they should devote themselves to sacred theology and related disciplines, as prescribed by canon 1365. Furthermore, We also desire that you apply to your own benefit those instructions which the Sacred Congregation for Seminaries and Catholic Universities, on April 26, 1920, addressed to the sacred prelates of Italy concerning the proper arrangement of time for studies. Moreover, the disciplines or faculties, as they are called, for teaching theology, in which it is permissible to aspire to academic honors, are open to many, and are celebrated by a large part of the clergy; for not

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all men of the sacred order must be doctors, but all must be good and learned. Since, however, those who obtain certain positions of teaching or greater responsibilities in the schools ought to excel above others in doctrine, and also be adorned with the insignia of learning, therefore, so that you may provide a sufficient number of such priests, you will send as many of your students as you judge necessary to the diocese to cultivate higher studies, provided that they are distinguished by talent, virtue, and character, and are trustworthy among their equals. [Reference to Leo XIII, Encyclical *Quod multum*, August 22, 1886].

[*Latin ed. p. 557*]

557 The acts of Pope Benedict XV bring good results to all things. In this place, venerable brothers, we deem it fitting to exhort you, that the College of Bohemia of this esteemed City, with diligence and care, may foster certain important matters. For here, under Our eyes, the hopes of your best clergy are nurtured, and they flourish so happily in severity of discipline, in solidity of piety, and in integrity of doctrine, that we have the greatest joy in having them as a most select part of this Our college of clerics from various nations, who are gathered in Rome for the sake of studies. But indeed, the chief concern and the utmost diligence rightfully belong to the Bishop regarding the diocesan seminary; and we know, venerable brothers, that you will awaken your cares and thoughts in this matter, as did Our predecessor, and as We ourselves strongly approve, so that each of you may find delight in it. Therefore, it is necessary for us to demonstrate to you how wonderfully useful it is to maintain a constant relationship with the students of the seminary. Those who do so perform a holy office; for "it is the duty of the Bishop to determine all things and each thing which are necessary and appropriate for the proper administration, governance, and progress of the diocesan seminary, and to ensure that these are faithfully observed." Therefore, in order that the Supreme Pontiff may pursue and promote with paternal care the progress of his clergy towards true good, it will be, in the judgment of the holy Doctor Alphonsus, best if he frequently visits the seminary, encourages the students to cultivate virtues and letters with appropriate exhortations, and participates in scholastic circles and discussions, so that he may greatly stimulate them to strive against each other in the pursuit of studies. Thus, also, the Bishop, who has thoroughly come to know his own clergy, will not hesitate to lay hands upon them, and to make them true priests, who are according to the Heart of Jesus, that is, who fulfill the will of God in themselves, which is the sanctification of all.

1 2 3 4 Now, since in this matter the Bishop can achieve little unless he has the assistance of his own diocesan priests, We earnestly exhort all of them, as many as there are, to be of help to their Ordinaries, in whatever way they can, in establishing or restoring the seminary. Let them have this

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seat of peace and this home of studies and virtues.

[*Latin ed. p. 558*]

558 Acta Apostolicae Sedis - The Official Commentary. This [Seminary] is the office, by which they are governed, as if it were the heart of the diocese, from which spiritual life is diffused into all the veins of the Church. Here, let those who are invited freely contribute; and let them prepare with the utmost diligence the minds of the young men from their flock, in whom some light of divine vocation is perceived; and let them also send, according to their ability, contributions, which will yield the best fruits. And indeed, their example will have no small power among the laity, so that, among other duties of charity and religion, they may strive to promote, as much as possible, the diocesan Seminary, where those are educated who will labor for the salvation of the entire people. Indeed, by the benefit of God's providence, not a few (excluding those whose loss we lament) are priests in Czechoslovakia, who, as is fitting, are imbued with the spirit of the Lord, and who walk worthily in the vocation to which they have been called. And we trust that, in the not distant future, this entire clergy will prove to be most faithful ministers and ready, as instruments, for God in their own and the sanctification of others, for the edification of the Body of Christ. But from the fact that here, among the clergy, the desire to live according to their vocation is beginning to revive, we can hope that even those brothers who have departed from us will one day hear the voice of the Church, and that they will be earnestly called back to the maternal embrace, and that all kinds of help and consolations of the spirit will be promised to them, which they are now seeking in vain, far from her. Indeed, for the clergy of Czechoslovakia, and therefore for all the Slavic nations, another, and much wider field is open, in which they can work most usefully for the expansion of the Kingdom of Jesus Christ: and this labor will certainly be more successful, the more diligent preparation is given to them. For it is the course of events today that among the Eastern Slavic peoples, whom the fact of their long separation from this See has made most miserable, some hope is shown for the restoration of holy unity with us. Therefore, it is your duty, venerable brothers, and your clergy, to whom the faith of Rome, together with civil culture, has shone through the Apostles of the Slavs, Cyril and Methodius, to bravely enter this path, divinely prepared for you. And we know that there are certain pious societies that are dedicated to assisting this cause, and that they are happily spreading among almost all the Slavic peoples. Among these, it is particularly pleasing to mention the Apostolate of the Holy Apostles Cyril and Methodius, under the patronage of the Virgin, which is growing with considerable fruit in Czechoslovakia, in Poland, in Yugoslavia, and in Bulgaria. We wish to commend this association to all Ordinaries, and, with their authority, we desire that it be established in each parish, and that it

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be spread more and more among the Slavs, so that, if God wills, the day may come when there will be one flock and one shepherd.

[*Latin ed. p. 559*]

Acta Benedicti PP. XV 559. Desiring this, and wishing to encourage the faithful, to admonish the erring, and to invite those who dissent from us, we invoke divine blessings, and with the greatest benevolence, impart the apostolic blessing to you, venerable brothers, and to your clergy and the entire people. Given at Rome, near Saint Peter's, on the thirtieth day of the month of November, in the feast of Saint Andrew the Apostle, in the year 1921, in the eighth year of Our Pontificate. BENEDICT PP. XV.

[*Latin ed. p. 560*]

560 Acta Apostolicae Sedis - Official Commentary

ACTS OF THE HOLY CONGREGATIONS

SACRED CONSISTORY CONGREGATION

PROVISION FOR CHURCHES

Most Holy Father Benedict XV, following the decrees of the Sacred Consistory Congregation, provides for the following churches with their own pastors, namely:

November 25, 1921. — To the titular episcopal Church of Arindela, he appointed the Reverend Raphael Canale Oberti, General Vicar of the diocese of Santa Fe in South America, Apostolic Protonotary ad instar, whom he appointed as Auxiliary to the Reverend Father John Boneo, Bishop of Santa Fe.

November 30. — To the cathedral Church of Oviedo, the Reverend Father John Baptist Luis Perez, formerly titular Bishop of Dorylaeum.

November 30. — To the cathedral Church of Superior, the Reverend Father Joseph I. Pinte, General Vicar of the dioceses of Marianopol and Marquette.

December 1. — To the cathedral Church of Cuenca, the Reverend Father Cruciano Laplana y Laguna, a presbyter of Caesaraugusta.

December 1. — To the titular episcopal Church of Dorylaeum, the Reverend Father Michael De Iorio, formerly Bishop of Castri Maris.

December 10. — To the titular archiepiscopal Church of Marianopol, the Reverend Father John Baptist De Guébriant, formerly titular Bishop of Euraea.

December 16. — To the titular episcopal Church of Palaeopol, the Rev-

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erend Father William Piani, of the Venerable Salesian Society of Saint John Bosco; whom he appointed as Auxiliary to the Reverend Father Henry Sánchez and Paredes, Archbishop of Angelorum.

APPOINTMENT AS AUXILIARY

Furthermore, Our Most Holy Father Benedict XV, by decree of the Sacred Consistory Congregation of December 5, 1921, appointed as Auxiliary to the Reverend Father Francis Albert, Bishop of La Plata, the Reverend Father James Aloysius Copello, titular Bishop of Aulon.

[*Latin ed. p. 561*]

The Holy Congregation for the Propagation of the Faith, 561.

SACRED CONGREGATION FOR RELIGIOUS ORDERS.

Approvals.

By Decrees of the Sacred Congregation for Religious Orders, Our Most Holy Father Benedict XV, August 16, 1921. – The Institute of the Sisters of Charity of Nazareth, whose principal house is located in Nazareth, in the State of Kentucky, in the United States of America, in the diocese of Louisville, has had its definitive constitutions approved.

– The Congregation of Sisters, known as the Sisters of the Immaculate Heart of Mary, commonly called the "Sœurs du Bon-Pasteur" of Quebec, whose principal house is located in the city of Quebec, has had its definitive constitutions approved. November 27, 1921.

– The constitutions of the Society of Priests called "Saint-Sulpice" have been approved for a trial period of ten years.

– The Institute of Sisters called "of Mercy," of the Third Order of Saint Francis, whose principal house is located in Luxembourg, has had its definitive constitutions approved.

– The Institute of Sisters called "Our Lady," whose principal house is located in the city of Namur, has had its new constitutions definitively approved.

SACRED CONGREGATION FOR THE PROPAGATION OF THE FAITH.

TO ALL ORDINARY LOCALS.

CIRCULAR LETTER.

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THIRD CENTURY SINCE ITS FOUNDATION BY THE HOLY CONGREGATION.

Most Illustrious and Reverend Lord,

Of glorious memory, Gregory XV, by the Apostolic Constitution "Inscrutabili divinae Providentiae arcano," promulgated on June 22, 1622, solemnly established the Sacred Congregation for the Propagation of the Christian Faith, whose most illustrious, and no less weighty, duty it would be...

[*Latin ed. p. 562*]

562 'Acts of the Apostolic See - Official Commentary: To all, concerning the preaching of the Gospel among all nations, everywhere established or to be established, to preside over them, and to regulate and direct them. The number and extent of the works of religion and of human culture, undertaken under the auspices and guidance of this Holy Congregation, with the renowned Martyr Fidelis of Sigmaringa leading the way, whether in European nations or in foreign and the most remote regions and islands, are known only to God. Nevertheless, a vast harvest still remains to be gathered; immense regions lie uncultivated, countless multitudes of people still sit in darkness and in the shadow of death, awaiting the announcement of the peace and light of the Gospel. Therefore, at the close of the third century from the erection of this Holy Congregation, it seemed fitting to solemnly commemorate its anniversary. It is fitting to recall what so many Roman Pontiffs, from Gregory XV onwards, have accomplished for the sacred missions, with tireless efforts, most wise counsels, and inexhaustible resources. It is pleasing to remember how much benefit this Holy Congregation for the Propagation of the Faith has brought to the entire world, enlightening minds to the Catholic faith and to humanity. It is pleasing to remember the great labors of the missionaries, and of their collaborators of both sexes, as well as the aid contributed to the work of Christian evangelization, not only by generous and wealthy benefactors, but also by the humbler faithful, who have not failed to contribute their prayers and even their modest means to promoting this most holy work. Above all, however, it is fitting to offer solemn thanks to God, the source of all good things, and to the Immaculate Virgin Mary, Queen of the Apostles, who obtained all these things for the human race through her divine Son, our Redeemer Jesus Christ. These matters, having been recently presented to His Holiness Pope Benedict XV by the undersigned Cardinal Prefect of this Holy Congregation, who, from the beginning of his glorious pontificate, has considered concern for the spread of the Kingdom of God among the most important concerns of his supreme office, the same Supreme Pontiff, with a benevolent and joyful spirit, not only deigned to praise and approve the proposed celebration, but also considered it worthy that the Supreme

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Pontiff himself should be present, and that it should be enriched by the generosity of heavenly treasures. Therefore, His Holiness decreed that, for three continuous days, which will precede the Sunday of Pentecost of the year 1922, public prayers should be held in the City for the spread of the Catholic faith; and at the same time,

[*Latin ed. p. 563*]

To the Christian faithful, may the sacred work of missions and their grave necessities be explained through suitable sermons. Furthermore, on the Sunday of Pentecost, His Holiness will celebrate a solemn Mass in the Patriarchal Basilica of the Vatican, and during the solemnity of the Mass, He will deliver a homily to the people concerning the propagation of the Catholic Faith. Moreover, His Holiness has decreed that all Ordinaries of the Catholic world should be informed of these matters in a timely manner, and that they should make known to Him their desires, so that, in a similar manner, according to the circumstances of time and place, triduum exercises for the sacred missions may be instituted in cathedrals, parish churches, and other worthy churches in each diocese or mission. To this end, His Holiness has graciously deigned to grant an Indulgence of five hundred days to be gained on each day of supplication, as well as a Plenary Indulgence on the day of the solemn commemoration, under the usual conditions. His Holiness has also declared that these Indulgences are applicable to souls suffering in Purgatory. Furthermore, the Supreme Pontiff has granted that each Ordinary, or through a priest of his choosing, may impart the Papal Blessing in the churches in which, as mentioned above, the supplications will be made. The Ordinaries will fully respond to the desires of His Most Holy Lord if they issue pastoral letters in which they explain to the people entrusted to them the most important causes of the missions, and the duty by which the faithful are bound to pray to God and the Most Holy Virgin for the propagation of the Faith, and to assist the sacred missions according to their abilities. Therefore, while I communicate to you the orders and desires of the Supreme Pontiff through these letters, I earnestly pray to God that He may keep you safe and unharmed for a long time. From the offices of this Sacred Congregation, on the feast of Saint Francis Xavier, in the year 1921. Your most devoted servant, G. M. CARD. VAN ROSSUM, Prefect. h. © S. f P. Fumasoni-Biondi, Archdiocesan, Secretary.

[*Latin ed. p. 564*]

564 Acta Apostolicae Sedis - Commentarium Officiale. Praeterea, Beatissimus Pater, occasione ipsius celebrationis, hanc quoque preces fidelium pietati recitandam proposuit: PRECATIO PRO PROPAGATIONE FIDIS. O Iesu, non est extincta resonantia verbi, quo tu, ob penuriam operariorum, comparabas immensitatem multitudinis cum parva numeratione op-

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erantium: "Messis quidem multa, operarii autem pauci." Jam trina sunt saecula ab eo tempore quo Sede Apostolica ordine et constanter curavit ad evangelizationem infidelium. Multa fructus colligit zelus missionariorum a Sacra Congregatione de Propaganda Fide missorum: semen Christianorum est sanguis ille qui effusus est ab eo generoso atleti, qui, iam trina saecula, primordia Martyrum eadem Sacra Congregatio praebuit. Sed tamen, quot populi adhuc involuti sunt in tenebris ignorantiae! Quantae gentes adhuc sedent inter umbras mortis! O! Quanta est doloris comparatio numeri credentium cum numero magno infidelium! Talis comparatio nos melius facit estimare mirabile lumen Fidei ex quo in peregrinatione terrestri ductimur, et simul in animo nostro revocat memoriam divinarum illarum verborum: "Pray ye therefore the Lord of the harvest, that he send forth labourers into his harvest." Vos, o Domine, estis dominus messis, in qua repraesentatur multitudo hominum. Vobis igitur rogamus ut multiplicetis numerum missionariorum, augeatis zelum eorum, et benedicitis labores eorum, ut semen bonum divinae verbi fructus abundantes det, qui colligantur in coelis. Exaudite, o Domine, hanc preces nobis suggeritam ex desiderio videndi regnum vestrum sanctum extendi. Et, cum ex corde magis quam ex labio quotidie oramus: "Adveniat regum tuum," date nobis firmitatem et constantiam in proposito quod vobis praesentamus, concurrendi omni modo meliore, et secundum mensuram virtutum nostrarum, ad favorem operis Propagationis Fidei. Concedimus omnibus fidelibus, quoties hanc preces recitabunt, Indulgentiam centum triginta dierum, et his qui eam recitaverint quot die, Plenariam semel in mense, ad solitas condiciones. Ab Urbe Vaticana, 17 mensis Novembris, anno Domini millesimo nono centesimo vigesimo primo. BENEDICTUS PP. XV.

[*Latin ed. p. 565*]

The Holy Congregation of Propaganda Fide, 56th, grants a new spiritual privilege to priests of the Pious Union of Clergy assigned to missions.

DECREE: From the audience of the Most Holy Father, on the 1st of December, 1921: His Holiness, having considered the report of the undersigned Cardinal, Prefect of the Sacred Congregation of Propaganda Fide, has deigned to grant that each priest who has enrolled or will hereafter enroll in the Pious Union of Clergy assigned to missions, may, if he so desires, anticipate, from midday, the recitation of Matins with the Lauds of the following day, provided that he has already completed the Office of the day.

Given in Rome, from the offices of the Sacred Congregation of Propaganda Fide, on the 2nd of December, 1921.

G. M. CARD. VAN ROSSUM, Prefect.

L. © S. f Petrus, Archbishop, Secretary.

III. APPOINTMENTS: By Apostolic Briefs, the following were ap-

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pointed:

November 7, 1921. – Apostolic Delegate in the Japanese Empire, Reverend Father Marius Giardini, of the Congregation of Clerics Regular of Saint Paul.

November 22. – Apostolic Vicar of North German Missions, Reverend William Berning.

Furthermore, the Sacred Congregation of Propaganda Fide, by decree of November 12, 1921, declared Reverend Aemilius Cecco, of the Pious Society of Saint Joseph, Administrator of the Apostolic Vicariate of Naples.

[*Latin ed. p. 566*]

566 Acta Apostolicae Sedis - Official Commentary

SACRED CONGREGATION FOR RITES

CONCERNING THE MANNER OF RECITING OR SINGING THE LAURETAN LITANIES

DOUBTS

The Sacred Congregation for Rites has requested a clarification regarding the following:

I. Is it permissible to sing the initial threefold invocation to the Persons of the Most Holy Trinity in the Lauretan Litanies in such a manner that the priest sings "Kyrie eleison," "Christe eleison," and the people repeat "Kyrie eleison," "Christe eleison," and then the priest continues with "Christe audi nos," "Christe exaudi nos," and the people respond with "Christe audi nos," "Christe exaudi nos"?

II. Is it permissible, instead of saying "Agnus Dei" three times at the end of the Litanies, to say only once: "Agnus Dei qui tollis peccata mundi, parce nobis, Domine," "Exaudi nos, Domine," "Miserere nobis"?

And the aforementioned Sacred Congregation, after hearing the opinion of a special Commission, decided that the following should be answered for all: Negatively, in accordance with the decrees, and the complete order of the Litanies, with the attached indulgences, should be observed, namely: "Kyrie eleison" - "Christe eleison" - "Kyrie eleison," etc., until the end. And thus it was written and declared.

On November 10, 1921.

† A. CARD. VICO, Archbishop of Porto and Santa Rufina, Prefect.

L. F. B. S. Alexander Verde, Secretary.

[*Latin ed. p. 567*]

From the Roman Curia Diary, 567. SACRED CONGREGATION OF

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RITES. Tuesday, November 22, 1921, before the Most Reverend and Illustrious Cardinal Gennaro Granito Pignatelli di Belmonte, Promoter of the Cause of Beatification, that is, the declaration of the martyrdom of the Venerable Servants of God, Lorenzo Imbert, Bishop of Capsa, and his Companions, who were killed, as is asserted, out of hatred for the Faith, in Corea (1839-46). The Preliminary Congregation of Sacred Rites was held, in which the Reverend Prelates and the theological Consultors of the same discussed the following question: "Whether the martyrdom, the cause of the martyrdom, the signs and miracles of the aforementioned Venerable Servants of God are established."

Tuesday, November 29, 1921, in the Apostolic Palace at the Vatican, before the August person of the Holy Father, the General Congregation of Sacred Rites was held, in which the Most Reverend and Illustrious Cardinals, the Reverend Prelates, and the theological Consultors, who comprised the same, discussed and gave their vote on the question concerning the heroic practice of the virtues of the Venerable John Nepomucene Neumann, Bishop of Philadelphia, of the Congregation of the Most Holy Redeemer.

Tuesday, December 13, 1921, in the Apostolic Palace at the Vatican, the Particular Congregation of Sacred Rites was held, in which the Most Reverend and Reverend Cardinals and the Reverend Prelates, who comprised the same, discussed and gave their vote on the following matters:

1. Concerning the validity and significance of the Apostolic Processes based on the miracles which are asserted to have been obtained through the intercession of the Blessed John Battista Maria Vianney, Confessor, Parish Priest of Ars, in the diocese of Belley.

2. Concerning the cult, in obedience to the Decrees of Urban VIII, which has never been paid to the Servant of God, Maria di Gesù Deluil-Martiny, Foundress of the Institute of the Daughters of the Sacred Heart of Jesus.

3. And likewise, concerning the cult which has never been paid to the Servant of God, Innocenzo da Berzo, Professed Priest of the Capuchin Order.

4. Concerning the validity and significance of the Processes, both Apostolic and Ordinary, concerning the Servant of God, Bartolomeo Canale, Professed Priest of the Barnabite Order.

5. Finally, concerning the validity of the Processes, both Apostolic and Ordinary, concerning the Servant of God, Maria Crocefissa Di Rosa, Foundress of the Congregation of the Handmaids of Charity.

[*Latin ed. p. 568*]

In the Acts of the Apostolic See – Official Commentary, on Tuesday, December 20, 1921, in the Apostolic Palace at the Vatican, with the presence of the Eminent and Reverend Lords Cardinals, and with the votes of the

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Reverend Prelates Officials and the theological Consultors, who comprise the Sacred Congregation of Rites, a New-Preparatory Congregation was held, to discuss the doubt concerning the heroism of the virtues exercised by the Venerable Servant of God, Anthony Mary Claret, Archbishop of Traianopoli, Founder of the Congregation of the Missionaries of the Immaculate Heart of Mary.

* **SECRETARY OF STATE – NOMINATIONS:** By means of tickets from the Secretary of State, the Holy Father deigned to appoint:

* November 28, 1921. Monsignor Giulio Tiberghien, titular Archbishop of Nicea, and Monsignor Luigi Aiuti, Vicar-Curate of Santa Maria in Trastevere, as Consultors of the Cardinal Commission for the Primary Work of the Preservation of the Faith in Boma.

* December 5. Monsignor Paolo de Huyn, Latin Patriarch of Alexandria, as a Consultor of the Sacred Congregations of the Council and of Religious.

* December 14. Monsignor Giovanni Bressan, Canon of the Patriarchal Major Basilica of the Lateran, as a Priest Assistant in the Papal Chapel.

* December 15. The Eminent Lord Cardinal Guglielmo van Rossum, as Protector of the Congregation of the Missionaries Religious of Mariannhill.

* December 18. The Reverend Father Giovanni Lupidi, of the Augustinian Hermits, as a Consultor of the Sacred Congregation of Rites for the Causes of Beatification and Canonization of the Servants of God.

* December 18. The Reverend Fathers Giuseppe Noval, of the Preachers, and Mariano Fernandez-Garciá, of the Minor Orders, as Consultors of the Sacred Congregation of Seminaries and Universities.

[*Latin ed. p. 569*]

Diarium Romanae Curiae 569. Necrology. August 11, October 3, 1921. Most Reverend Giacomo Martínez Cabanas, Bishop of Tegucicalpa.

Most Reverend Filippo Prospero Augouard, titular Archbishop of Cassiope.

November 17.

Most Reverend Emanuele Alfonso Van den Bosch, titular Archbishop of Pario.

December 19.

Most Reverend Raimondo Zubieta, titular Bishop of Adraa.

December 3.

Most Reverend Ignazio Ghiurekian, titular Archbishop of Traianopoli.

December 4.

Most Reverend Michele Felice Eorum, Bishop of Treviri.

December 18.

Most Reverend Pasquale Morganti, Archbishop of Ravenna.

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December 21.

Most Reverend Cardinal Francesco M. Anatolio Roverié de Cabrières, Bishop of Montpellier.

The following entries are also to be noted:

December 19, 1919. Most Reverend Giovanni Menachery, of the Syro-Malabar rite, titular Bishop of Paralo.

August 9, 1920. Most Reverend Paolo Singzon, Bishop of Calbayog.

January 5, 1921. Most Reverend Giovanni Carli, Bishop of Luni-Sarzana and Brugnato.

January 10.

Most Reverend Giovanni Nepomuceno Terrero y Escalada, Bishop of La Piata.

January 14.

Most Reverend Michele Pinceau, titular Bishop of Galama.

March 21.

Most Reverend Costante Jeanningros, titular Bishop of Avara.

May 22.

Most Reverend Filippo Schelfhaut, Bishop of Roseau.

May 27.

Most Reverend Michele Petkoff, titular Bishop of Ebron.

July 14.

Most Reverend Massimiliano Novelli, titular Bishop of Andrapa.

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[*Latin ed. p. 571*]

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[*Latin ed. p. 572*]

Index generalis actorum 572. SUPREME SIGNATURAE TRIBUNAL, 269. IV. - ACTA Diarium Romanae Curiae: a) Edicta Concursus; 242, 275, 323, 516. b) Monita, 401, 516. c) Nominationes* 30-32, 116-119, 179-184, 204-208, 243-248, 276-280, 324-328, 366-368, 402-408, 453-456, 485-488, 549-552, 568. d) Necrologium, 32, 120, 184, 208, 248, 280, 328, 368, 408, 456, 488, 520, 552, 569. APOSTOLICAE OFFICIORUM DATARIA. APOSTOLICA, 274. Nominatio, 366. PONTIFICIA COMMISSIO AD CODICIS CANONES AUTHENTICE INTERPRETANDOS, 177 s. * Ad maius inquirenti um commodum haec ponitur distincta recensio: Dicasteria Emis Patribus assignata: S. C. de Sacramentis, 181, 325, 517; S. C. Concilii, 181, 325; S. G. de Religiosis, 30, 181, 325; S. C. de Propaganda Fide, 116, 181, 325; S. C. Rituum, 181, 248, 325; S. C. Caeremonialis, 181, 325; S. C. Fabricae S. Petri, 325; S. C. a Negot. Eccles. Extraord., 325; S. G. de Seminariis, etc., 181, 325; S. G. pro Ecclesia Orientali, 181, 325; Commis. Pontif. pro interpr. Codicis, 30; Commissio pro Opere Praesentationis Fidei, 179. Protectoriae Emis Patribus concreditae, 30, 116, 179, 204, 243, 325, 366, 30, 204, 276, 324. Auditor Gen. 325; 30, 402, Camerae, 180; Domui Presbyter assistens Cappellae, 181, 277, 402, 453, 485, 517, 549, 568. Nuntii, Vice 325;

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[*Latin ed. p. 573*]

IN THE INDEX OF DOCUMENTS ARRANGED IN CHRONOLOGICAL ORDER, BY YEAR, MONTH, AND DAY:

I. - ACTS OF POPE BENEDICT XV.

I. - LETTERS:

1921, January 6; April 30; June 29.

ENCYCLICALS: *Sacra propediem.*

To the Patriarchs, Primates, Archbishops, Bishops, and other Ordinary rulers of places holding peace and communion with the Apostolic See:

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concerning the founding of the Franciscan Third Order at the end of the seventh century.

To our beloved sons, doctors and students of the liberal arts, on the joyful day marking the sixth centenary from the death of Dante Alighieri.

To the Patriarchs, Primates, Archbishops, Bishops, and other Ordinary rulers of places holding peace and communion with the Apostolic See: concerning the celebration of the seven hundredth anniversary of the birth of Saint Dominic.

II. - APOSTOLIC CONSTITUTIONS:

1917, February 5; 1918, January 11; August 2; 1920, December 10; 1921, February 11; 16.

Concerning the Catholic religion.

From the territory dismembered from the dioceses of Antioquiensi and Jericoènsi, which are equally and principally united, the new diocese of S. Rosae de Osos in Columbia is created.

Concerning the dismemberment and erection of the diocese of Lafayettensis.

The Archdiocese of Olindensis-Recifensis.

The new dioceses of Nazarensis and Garanhunensis are created in Brazil, and the episcopal seat of Florestensis is transferred.

Concerning the division and the creation of the new diocese of Lodzensis.

Pastoral solicitude.

Concerning the dismemberment and erection of the diocese of Bellohorizontinae.

From our predecessors.

Concerning the erection of the new ecclesiastical province of S. Iosephi Costaricensis, the new diocese of Alajuelensis, and the new apostolic vicariate of Limonensis.

[*Latin ed. p. 574*]

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1921 March 21
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May 13
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July 30

Apostolic See.

- Concerning the dismemberment and aggregation of the town of "Vallecorsa" of the Eximia Benedictine Order.

- Concerning the dismemberment and erection of the monastery of Nullius S. Petri de Muenster.

Roman Pontiffs.

- The Prefecture Nullius of Rio Branco is aggregated to the Abbey of the Most Blessed Virgin Mary of Monteserrato, Fluminis.

- Concerning the erection of the Metropolitan Chapter of Montevidei: the solicitude of all.

- The Apostolic Vicariate of Saxonia and the Apostolic Prefecture of Lusatia are suppressed, and their territory is restored to the Diocese of Meißen.

Universal Church.

- From the territory detached from the Archdiocese of Cologne, the Dioceses of Eupen and Malmedy are created, and they are also principally united to the Diocese of Liège.

Apostolic Letters.

1920 May 18

Existing in the city.

- The parish church of Saint John of God, in the city of Macaraibo, in the Diocese of Zulia, is raised to the rank of a minor basilica.

Among the most distinguished.

- The church of the Holy Mary Magdalene in the town of Vezelay, in the Diocese of Sens, is adorned with the title of a minor basilica.

- The Carmelite church, dedicated to the Most Blessed Virgin Mary of Mount Carmel, in the city of Recife, in the State of Pernambuco, in Brazil, is adorned with the title and privileges of a minor basilica.

- The Apostolic Delegation in Albania is erected.

- The Apostolic Vicariate of Northern Ontario is erected.

- The church of the Most Blessed Virgin Mary of Mercy, under the title of "Liberator from the Earthquake," in the city of Quito, is erected into a minor basilica.

- The church of the Most Sacred Heart of Jesus in the city of Diamantina is honored with the title and privileges of a minor basilica.

- The sanctuary of the Most Blessed Virgin, commonly known as "dei Pilastrello," is erected into an abbey of the Olivetan Order, and the first abbot is named, in the person of the Reverend Father Caelestia Maria Colombo, for the sake of lasting memory.

- The church of the Nativity of the Most Blessed Virgin in the city of Senglea, on the island of Malta, is erected into a minor basilica.

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1 June 28
July 16
November 12
December 27
December 2
December 10
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1921 January 13
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[*Latin ed. p. 575*]

In chronological order, the following events occurred:

YEAR MONTH DAY

1921 January 25
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It is most certain. – The Church of Saint Ignatius of Loyola in the town of Azpeitia, in Hispania, is elevated, along with its title and privileges, to that of a minor basilica. The Pious Society is increased.

– The parish church of the Most Sacred Heart of Jesus, near the Praetorium in the City, is adorned with the title and privileges of a minor basilica... to the glory of the Catholic name.

– The Apostolic Prefecture of Saint Leo of the Amazon is changed and erected as the Apostolic Vicariate, with altered boundaries. In the sublime.

– A new Apostolic Prefecture is erected, dedicated to Saint Gabriel of the Sorrowful Virgin of Marañon. It is entrusted to us.

– The missions of the Vicariate Apostolic of Anhalt are incorporated into the Diocese of Paderborn... In this sublime manner.

– A portion of the territory of the Apostolic Vicariate of Upper Kassai is separated and added to the neighboring Apostolic Prefecture of Koango... It pleases us greatly.

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– The Reverend Father Alban Schachleiter, abbot of Spanheim, of the Order of Saint Benedict, is appointed. By the Roman Pontiffs.

– The Apostolic Work, founded in Geneva under the name of Jesus Christ, the Worker, is permanently erected as a Primary or Central organization, with the faculty of incorporating societies of the same name throughout the world. It is most certain.

– The plenary indulgence, to be gained as often as desired in the chapel of the Porziuncola near Assisi, is extended to all and each day of the year... By the Roman Pontiffs.

– The Apostolic Union of priests, founded in Parisiis, is erected or confirmed as a Primary organization, and is enriched with indulgences and spiritual graces. In the year of Our Lord.

– The sanctuary of the Blessed Virgin Mary of Mercy in the Diocese of Macerata is honored with the title and privileges of a minor basilica... in the Cathedral Church.

– The cathedral temple of Samogitia is granted the dignity of a minor basilica. By the General Procurator.

– The pious association, established in Mediolani under the title of "The Eucharist Covenant," is promoted to an archiconfraternity or Primary association. Within the archdiocese.

– A new Apostolic Prefecture, "de Tierradentro," is erected in Columbia, a portion of its territory being taken from the Archdiocese of Popayán. Among the sacred buildings.

– The title of minor basilica is conferred upon the archpriestal and collegiate church of Saint Stephen in the city of Lavaniensis, in the Diocese of Clavarensi. It is known to us.

– The metropolitan temple of Limanum is promoted to the dignity of a minor basilica... 575.

[*Latin ed. p. 576*]

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YEAR MONTH 1921 May DAY 31 June 19 July 30 August 10 September 10 October 5 20

Ancient Church. - The church of Saint Dominic, commonly known as "Maggiore," in Naples, is adorned with the title and honors of a minor basilica.

Association. - To members of our Lady of Good Death who recite prayers and perform acts of piety in order to obtain grace for themselves or others at the time of death, plenary and partial indulgences are granted.

By Decree. - A portion of the territory of the Apostolic Vicariate of Ce-Li, located in the southeastern part, to the east of the Hoang Ho River, is separated and added to the Apostolic Vicariate of Sciamtom in the south.

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For Benediction. - A general or common apostolic mandate is issued once and for all to the Ordinaries of the places for the blessing of Abbots of the Order of Saint Benedict.

Our Predecessors. - The cathedral church of Burgos, dedicated to the Blessed Virgin Mary, received into heaven, is adorned with the title and dignity of a minor basilica.

By Decree. - The Apostolic Vicariate of Saharensis is divided into two Vicariates: Bamako and Ouagadougou, both located in French Sudan.

Nothing More is Accepted. - The "Œuvre de propagande des trois Ave Maria," commonly known as the "Association of the Three Hail Marys," founded by Blessed Pius, is established as a primary association with the faculty of being established everywhere on earth, with added indulgences and privileges.

From This. - The Apostolic Vicariate of Ngan-Hoei is established, and the name of the Apostolic Vicariate of Nankin is changed.

Extensive and Ancient. - The title of a minor basilica is conferred upon the church or sanctuary of the Annunciation of the Blessed Virgin Mary in the town of "Follina," in the diocese of Ceneda.

Blessed Francis. - The shrine of the Blessed Virgin Mary, assumed into heaven, on Mount Alverna, of the Order of Friars Minor, is adorned with the dignity and title of a minor basilica.

By Decree. - A portion of the territory of the Apostolic Vicariate of Natal, located to the south, is separated, and the Apostolic Vicariate of Mariannhill is established within it, as described in detail.

Among the Best. - The title of a minor basilica is conferred upon the cathedral temple of Monopoli.

It is Clearly Established. - The church of Our Lady of Miracles in the city of Mauriac, in the diocese of Saint-Flour, is elevated to the title and dignity of a minor basilica.

For the Catholic Name. - A portion of the Prefecture of Slevigis-Holstiae, recently transferred to the Kingdom of Denmark, is added to the Apostolic Vicariate of Denmark.

[*Latin ed. p. 577*]

In chronological order, by year, month, and day: IV - LETTERS. 1920 November. December. 1921 January. February. 9 Most opportune. - To the Reverend Father Arthur Vermeersch, S.J., praising the proposal for celebrating the third centenary of the death of Saint John Berchmans. Which is most excellent. - To Alexander, Most Reverend Cardinal Kakowski, Archbishop of Warsaw, and Edmund, Most Reverend Cardinal Dalbor, Archbishop of Gnesen and Posen, and to the other Bishops of Poland, responding with the most courteous letters from the annual meeting. We understand perfectly. - To Gustav Frederick, Most Reverend Cardinal Piffl, Archbishop of Vienna,

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and to the venerable brothers, the Bishops of Austria, responding with common letters. 10 Among the most excellent praises. - To the Reverend Father Thomas Joseph, Bishop of Trenton, praising his paternal care for the Italian immigrants. 17 We have received two from you. - To the Reverend Father Dante Munerati, General Procurator of the Pious Society of Saint Francis de Sales: expressing thanks for the filial act of obedience, for the two volumes offered. It is perfectly in accord. - To the Reverend Father Francis Zorell, S.J., commending the proposal for carrying out the "Course of Holy Scripture." 20 It is perfectly worthy. - To the Most Reverend Fathers Joseph Cardinal Francica Nava, Archbishop of Catania, and Alexander Cardinal Lualdi, Archbishop of Palermo, and to the other Archbishops and Bishops of Sicily: congratulating them on the happy outcome of the plenary council. Your letter is most welcome. - To John, Most Reverend Prelate Cardinal Csernoch, Archbishop of Gran, and to the venerable brothers, the Bishops of Hungary: expressing thanks for the common, courteous letters. 9 Always. - To the beloved son, the Director of the Catholic University of Studies of Milan, for the founding of the institution. 10 Always. - To Desideratus, Most Reverend Cardinal Mercier, Archbishop of Mechlin, and to the other Belgian Bishops, to whom, on the occasion of the "Flemish Question," certain matters pertaining to religion are imparted with paternal concern. 20 Of the Third Order of Penance. - To the Reverend Father Arnold Rigo, General Minister of the Regular Third Order of Saint Francis, granting him the same privileges that were granted to the General Ministers of the Franciscan First Order, on the occasion of the 700th anniversary of the secular Third Order. 57

[*Latin ed. p. 578*]

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Concerning the pain that We felt. - To the Most Reverend Father Andrew De Szeptycki, Archbishop of Leopolis, writing concerning the reopening of the Ruthenian College in the City, and concerning the condition of that people.

Of Our Office. - To the Most Reverend Father Marius Besson, Bishop of Lausanne and Geneva, and to the other Bishops of Switzerland; praising the intention of celebrating the fourth centenary from the birth of the blessed Peter Canisius.

Where First. - To Michael, Most Holy Roman Cardinal Logue, Archbishop of Armagh, concerning the necessity and reason for reconciling peace within the borders of Ireland.

That Christians. - To the Most Reverend Father Alexis Mary Lépicier, of the Order of the Servants of the B.V.M., whom We praise for two books recently published on the Occult and on Spiritualism.

Wherefore We. - To the Most Reverend Father Caesarius of Tours, a priest of the Order of the Minor Capuchins, to whom We commend his book, which is entitled "The Seraphic Perfection according to Saint Francis."

Concerning Building. - To the Most Reverend Father Bede Jarrett, O.P., Provincial of England, We congratulate him on the imminent establishment of a new house for the Order and for studies in Oxford.

Optimum sane. - To His Eminence, Father Cardinal Charles Joseph Schulte, Archbishop of Cologne, concerning the founding of a Catholic philosophical institute in Cologne.

From those letters. - To His Eminences, Fathers Cardinals Alexander, Most Holy Roman Priest Kakowski, Archbishop of Warsaw, Edmund, Most Holy Roman Priest Dalbor, Archbishop of Gnesen and Posen, and to the other Bishops of Poland, concerning the manner in which the clergy should behave in the present condition of Poland.

In the Fiftieth Year. - To the Most Reverend Father Patrick Murray, General Moderator of the Congregation for the Propagation of the Faith, in the year fifty, when Saint Alphonsus M. de Liguori was added among the Doctors of the Church.

The News. - To His Eminence, Father Cardinal Peter Gasparri, Prefect of the Secretariat of State, concerning the most miserable condition of the Russian people.

Whence. - To the Most Reverend Father Vincent Bernadot, O.P., Moderator of the periodical "La vie spirituelle," We praise his effort in which, guided by the Angelic Doctor, he strives to foster solid piety.

Not without. - To His Eminence, Father Cardinal Vincent Vannutelli, Dean of the Sacred College, concerning the honor.

[*Latin ed. p. 579*]

579. Chronologically arranged. YEAR 1921. MONTH DAY. September

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19. October 14. 20. November 10. 30. Concerning decrees commemorating the illustrious musician, Johannes Peter Aloysius of Praeneste.

To the Reverend Father Franciscus Ehiie, S.J., who has completed sixty years in the religious life: congratulations are offered for his merits to the Church and for his literary accomplishments.

Previously.

To the Most Reverend and Most Eminent Lords, Michael S.R.E. Cardinal Faulhaber, Archbishop of Munich and Freising, and Adolphus S.R.E. Cardinal Bertram, Bishop of Breslau, and to the other Bishops of Bavaria, in response to a common letter sent from the annual meeting, greetings are offered.

To the Reverend Doctor Iacobus Ogier, the closest confidant of the Holy See concerning the aforementioned matter, and also the Moderator of the "Pro Pontifice et Ecclesia" Society: gratitude is expressed for his generous support, and joy is expressed at the growth of the pious Union.

To Marius Eduardus Marietti, Knight, concerning the recently published Latin-Italian Missal.

To the Most Reverend and Most Eminent Lords, Franciscus Kordac, Archbishop of Prague, Antonius Cyrillus Stojan, Archbishop of Olmütz, and to the other Bishops of Czechoslovakia, they are earnestly encouraged to assist, with all their power, in the proper formation of the clergy.

V.

SERMON. Concerning the beauty of the name.

To the parish priests and to those who preach during Lent in the City. February 6.

PRAYER FORMULAS. August. November 17. O God of goodness.

For obtaining the reconciliation of peace and concord in Italy. O Jesus.

For obtaining the propagation of the Catholic Faith. March 10.

SACRED CONSISTORY. Secret Consistory: The choice of a title. Allocution of His Holiness, Pope Benedict XV.

Creation and publication of Cardinals of the Holy Roman Church. Public Consistory: The Most Reverend Cardinals are adorned with the red biretta.

Secret Consistory: Concerning the distribution of churches.

[*Latin ed. p. 580*]

Index of documents, 580, in the year 1921, in the month of June, on the 13th and 16th days, 21st. Titles conferred upon Cardinals by the Holy Father. Request for and granting of the Sacred Pallium.

Secret Consistory: Address of His Holiness, Pope Benedict XV. Creation and public announcement of Cardinals of the Holy Roman Church. Provisions concerning churches. Public Consistory: Presentation of the red biretta to the Cardinals.

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Secret Consistory: Provisions concerning churches. Titles conferred upon Cardinals. Request for the Sacred Pallium.

Secret Consistory: Address of His Holiness, Pope Benedict XV. Provisions concerning churches. Request for the Sacred Pallium.

Acts of the Sacred Congregations, Volume I.

SUPREME SACRED CONGREGATION OF THE HOLY OFFICE.

1920, 1921. December 17th. March 30th. April 30th.

Notification concerning the submission of the author of a condemned work.

Decree by which the priest, Ernesto Buonaiuti, is declared to be subject to excommunication, and consequently, suspended "a divinis."

Decree.

Condemnation of the periodicals "Religio" and "Rivista trimestrale di studi filosofici e religiosi."

Decree.

Condemnation of sacred images from a certain new school of painting.

Decree.

Condemnation of the book by Edmond Cazal, "Sainte Thérèse II."

SACRED CONSISTORY CONGREGATION.

1920, November 6th, 30th. 1921, February 3rd, 23rd. March 1st, 5th.

Resolution concerning the privilege of ordaining without dismissal letters, previously granted to certain seminaries or ecclesiastical colleges.

Decree concerning those to be proposed for the episcopal ministry in Scotland.

Concerning the commutation of the boundaries of the dioceses of Mariannen and Aterradens.

Decree concerning the dismemberment and union of [a place name].

Decree concerning the translation of the cathedral church.

For information concerning the Reverend Philip Gnam.

[*Latin ed. p. 581*]

581. Chronologically arranged. Page. Year, Month, Day.

1921, March, 7.

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August, 2, 20, 30.

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PREMISLIENSIAN. LATINIAN. TARNOVIAN. - Decree concerning the monks, and the Friars. AUGUSTAN. VINDELICORUM. - Decree concerning the alteration of the boundaries of dioceses.

LUBLINENSIS. PODLACHIENSIS. - Decree concerning the alteration of the boundaries of dioceses.

Notification concerning the faculties of Ordinaries.

Decree concerning those to be proposed for the episcopal ministry in Brazil.

BRIXINENSIAN. - Decree by which the diocese of Brixen is separated from the ecclesiastical province of Salzburg and made immediately subject to the Apostolic See.

Decree concerning the denomination of the bishop and diocese of Prince Albert.

Decree concerning those to be proposed for the episcopal ministry in the Republic of Mexico.

PACENSIS. DE BENI. - Decree concerning the alteration of boundaries.

Notification concerning the pontifical college for priests for Italians who have emigrated abroad.

INSULENSIS. ET ATREBATENSIS. - Decree concerning the alteration of a portion of territory within the contiguous dioceses.

PRAGENSIS. BUDVICENSIS. - Decree concerning the alteration of the boundaries of dioceses.

TIRASPOLENSIS. IASSIENSIS. - Decree concerning the dismemberment and union.

Decree concerning those to be proposed for the episcopal ministry for the dioceses of the Latin rite in Poland.

III. SACRED CONGREGATION FOR THE DISCIPLINE OF THE SACRAMENTS.

1918-1921.

July, 1, 4.

DIOCESES L. - Irregularities due to the absence of the body.

Instruction to the Most Reverend Ordinaries of the places concerning the examination of the status of liberty and the denunciation of marriage.

IV. SACRED CONGREGATION OF THE COUNCIL.

1920, November, 14.

CORRIENTEN. - Concerning jurisdiction.

ZAGABRIENSIAN. - Nomination of coadjutor vicars.

December, 11.

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Already, February, March, April, May, 15, 19, 13, 17, 9.

DIOCESES M. AND OTHERS. - Concerning the taxes of the Curia.

PADERBORNENSIAN. - Concerning competence.

MAIÒRICENSIAN. - Concerning distributions.

1921.

DIOCESES N. - Concerning the translation of Masses.

DIOCESES V. - Concerning the conventual Mass.

MONTISVIDEI. - Concerning the stipend of Masses.

CATANENSIAN. PANORMITAN. AND OTHERS IN SICILY. - To the Reverend Father Caietan, S.R.E. Cardinal De Lai, Bishop of Sabina, Legate from the side of the Most Holy See, concerning the recognition of the Sicilian Plenary Council.

[*Latin ed. p. 582*]

Index of documents: YEAR MONTH DAY 1921 June July 11 9 IN PGNESNEN, AND POSNANIEN. - Concerning the hunt. DIOCESE N. - Concerning the stipends of Masses. LINCIEN. - Concerning the Divine Office. DIANEN. - Concerning the law of funerals, V. - SACRED CONGREGATION OF RELIGIOUS. March July October 26 November. Regulations according to which the Sacred Congregation of Religious proceeds in approving new religious congregations. Doubts concerning the celebration of a general chapter in congregations of diocesan right. Declaration concerning the constitutions of religious orders, to be submitted to the Sacred Congregation for revision, according to the decree of June 26, 1918. Instruction concerning the second year of the novitiate. - SACRED CONGREGATION FOR THE PROPAGATION OF THE FAITH. 1920 December 18 1921 January 10 18 March. Decree. The Archbishop of Coloniensis is elected President for Germania of the Pious Union of the Clergy for Missions. The Archbishop of Monacensis et Frisingensis is established as President in the Bavarica region of the Pious Union of the Clergy for Missions. Decree concerning the definition of the limits of parishes in the dioceses subject to the Sacred Congregation for the Propagation of the Faith. Decree. - Definitive approval is granted to the constitutions of the Sodality of S. Petri Claver for missions in Africa. Decree. - The constitutions of the Congregation of the Sons of the Most Sacred Heart of Jesus for African missions, founded in Veronae, are definitively approved. Decree. - Definitive approval is granted to the constitutions of the Institute of S. Francisco Xaverio for foreign missions. Decree. - The names of certain missions are changed. Decree. - The Reverend Father Thomas O'Doherty, Bishop of Clonfertensis, is appointed President for Hibernia of the Pious Union of the Clergy for Missions. . . . . Decree. - The Central Council of the Pius Society for the Propagation of the Faith for all the dioceses of Italiae is established. Decree. - The Apostolic Delegates in Iaponia extend their functions to the Apostolic Vicariates of the Carolinen

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Islands, Mariannen, and the Marshall Islands. 501 477 534

[*Latin ed. p. 583*]

In chronological order:

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Decree: The Congregation of Missionaries of the Immaculate Heart of the Blessed Virgin Mary of Scheut is placed under the jurisdiction of the Holy Congregation for the Propagation of the Faith.

Decree: The Most Reverend Father Ludovico, of the village of Nazarius, Cardinal Bégin, Archbishop of Quebec, is appointed President of the Pious Union of Clergy for Missions, for the Canadian territory.

Decree: The constitutions of the Society of African Missionaries, revised according to the Code, are definitively approved.

Decree: The Institute called Bethlehem, located near "Immensee," in the diocese of Coire, is established as a Seminary for foreign missions.

Decree: A portion of the territory of the Apostolic Vicariate of Leopoldville is separated and added to the Apostolic Prefecture of Matadi.

Decree: The name of the Apostolic Vicariate of Fu-Kow is changed.

Decree: The boundaries between the Apostolic Prefectures of "Teifé" and "Solimões superior" are changed.

Decree: The Apostolic Vicariate of the Sandwich Islands is separated from the Apostolic Delegation for Australasia and added to the Apostolic Delegation for the United States of America.

Decree: The Apostolic Vicariate of Guam is added to the Apostolic Delegation for the Philippine Islands.

Circular Letters to all local Ordinaries, issued at the end of the third century by the Sacred Congregation I VII.

S. CONGREGATION FOR RITES.

1920 October 14

November 21

December

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1921 January 12

OF THE CITY AND THE WORLD

Saint Ephraem the Syrian, Deacon, Confessor, and Doctor of the Church, Office and Encomium in the Roman Martyrology.

LEMOVICEN.

Introduction of the cause of Beatification and Canonization of the Servant of God, Sister Mary of Jesus, formerly known as Josephine du Bourg, foundress of the Congregation of Sisters of the Divine Savior and the Most Holy Virgin.

ROMANA.

Decree concerning the virtues in the cause of Beatification and Canonization of the Venerable Servant of God, Robert, Cardinal Bellarmine, of the Society of Jesus.

Instructio for a priest concerning the celebration of Mass, granted to him by apostolic indult 583.

[*Latin ed. p. 584*]

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FERETRANA. - Confirmation of the cult rendered from time immemorial to Dominico Spadafora, a priest, member of the Order of the Preachers, now called blessed.

RUPELLEN. ET SANTONEN. - Introduction of the cause for the beatification and canonization of the handmaid of God, Maria Eustella Harpain, a secular virgin.

BONONIEN. - A doubt concerning the singing of "Blessed be he that cometh in the name of the Lord. We have blessed you out of the house of the Lord." in the Masses sung.

URBIS ET ORBIS. - Decree concerning the virtues in the cause for the beatification and canonization of the venerable Servant of God, Bartholomaeus Maria Dal Monte, a priest and founder of the Pious Work of Missions.

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TAURINEN. - Decree regarding the addition of the invocation of Saint Joseph in Lodi: "Dio sia benedetto."

SAGIEN. - Decree confirming the cult rendered from time immemorial to Margarita of Lorraine, a nun, member of the second order of Saint Francis, now called blessed.

DUBLINEN. SEU ACHADEN. - Introduction of the cause for the beatification and canonization of the handmaid of God, Maria Aikenhead, foundress of the institute of the Sisters of Charity in Ireland.

MECHLINIEN SEU MASSILIEN. - Introduction of the cause for the beatification and canonization of the handmaid of God, Maria of Jesus Deluil-Martiny, foundress of the Congregation of the Daughters of the Heart of Jesus.

COCINCINEN. - Introduction of the cause for the beatification or for the declaration of martyrdom of the handmaid of God, Dan, or Gian, who, as is said, was killed in hatred of the faith.

ROMANA. - The privilege of the Patriarchal Basilica of the Vatican concerning the Masses of the Holy Apostles Peter and Paul.

PICTAVIEN. - A doubt concerning the votive Mass of the Most Sacred Heart of Jesus on the first day of the week after the octave of the Ascension.

BJTURGEN. - Decree concerning the virtues of the venerable Servant of God, Andrea Hubert Fournet, founder of the Congregation of the Daughters of the Cross, commonly called the Sisters of Saint Andrew.

ELNEN. - Confirmation of the cult rendered from time immemorial to the Servant of God, Father Angelo de Scarpettis, of the Order of the Hermits of Saint Augustine, now called blessed.

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Introduction of the cause of the handmaid of God, Anna Maria Antigo, a nun, member of the Order of the Holy Clare.

[*Latin ed. p. 585*]

Chronologically arranged, page 585. YEAR 1921. AUGUST 14, BAIOCENSIS and LEXOVIENSIS. OCTOBER 26, OF THE CITY AND THE WORLD. NOVEMBER 9. Decree concerning the virtues of the Venerable Servant of God, Sister Theresa of the Infant Jesus, professed nun of the Order of Discalced Carmelites.

Several feasts, with their proper Offices and Masses, are extended to the

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entire Church.

ROMANA. For the Feast Day, the fifth day after the Octave of the Most Holy Body of Christ, the proper Office of the Most Sacred Heart of Jesus, with the corresponding Mass, is approved.

SACRED CONGREGATION FOR SEMINARIES AND CATHOLIC UNIVERSITIES. APRIL 4, 1920. JULY 25, 1920. DECEMBER 25, 1920.

VARSAVIEN. The Catholic Faculty of Ecclesiastical Sciences is canonically erected in the University of Warsaw, with the right to confer the triple doctorate.

LUBLIN. The Catholic University of Dublin is canonically erected, and its statutes are permitted to be applied for a period of three years.

MEDIOLANUM. The Catholic University, which is named after the Most Sacred Heart of Jesus, is canonically erected.

ACTS OF THE TRIBUNALS. I. SACRED PENITENTIARY APOTOLICAL. APRIL 21, 1920. A doubt concerning the power to remit reserved penances, according to the tenor of the Bull Cruciatae for Lusitania.

SECTION ON INDULGENCES. JANUARY 22, 1920. Declaration and indult concerning the manner of adding certain words to the Angelic Salutation in recitation. FEBRUARY 18, 1920. A doubt concerning the so-called "apostolic" indulgences. Doubts concerning indulgences attached to feasts.

SACRED ROMAN ROTA. JULY 29, 1919. NOVEMBER 14, 1919. DECEMBER 12, 1919. JUNE 15, 1919.

VICARIATE APOSTOLIC OF CHIANSI MERIDIONALIS. Nullity of marriage (Maria-Hin Tsi-Tcheng-Lin).

LONDON. Acts concerning defamation and penalties, Volume XIII, No. 15. 31-12-1921. 40.

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